

## SECOND AMENDED COMPLAINT

INC. D/B/A EAST STAR CHINESE BUFFET	§
AND SUSHI BAR; BJ'S RESTAURANTS, INC.	§
D/B/A BJ'S BREWHOUSE INC.; BNC	§
VENTURES, INC. D/B/A BARRY'S PIZZA;	§
BSMP INC.; B.W. ASSOCIATES INC. D/B/A	§
PALM RESTAURANT; BABA YEGA	§
RESTAURANT CORP.; THE BAKE SHOPPE &	§
CAFÉ; BASIC ENERGY SERVICES, LP;	§
PARKER WINDHAM, LTD.; BAYOU CITY	§
ENVIRONMENTAL SERVICES, LP;	§
BAYPORT CHEMICAL SERVICE, INC.;	§
BAYTOWN ENERGY CENTER LLC;	§
BEALINE SERVICE CO., INC.; 9717	§
CHEMICAL ROAD, INC.; BEAUTY ELITE	§
GROUP, INC.; BEN TAUB HOSPITAL;	§
HARRIS COUNTY HOSPITAL DISTRICT	§
D/B/A HARRIS HEALTH SYSTEM; BERG	§
ENVIRONMENTAL SERVICES, INC.; BESO,	§
LLC; BETOS HYDRO AND SANITATION;	§
BICO DRILLING TOOLS, INC.; BIG DADDY'S	§
BBQ; BILLY'S DONUTS; BLACK LABRADOR	§
PUB, INC. D/B/A BLACK LABRADOR PUB;	§
BLAST ENVIRONMENTAL & INDUSTRIAL	§
SERVICES INC.; BLUDWORTH MARINE,	§
L.L.C.; INTERNATIONAL SHIP REPAIR &	§
MARINE SERVICES, INC.; BLUE MARLIN	§
LASER WASH, LLC; THE BOAT SHED;	§
BOATERS' RESALE SHOP OF TEXAS;	§
BOLIVAR BARGE CLEANING SERVICE,	§
LLC; BOMBAY SWEETS & VEGETARIAN	§
RESTAURANT; BOXER PROPERTY	§
MANAGEMENT CORP.; BREDERO PRICE	§
CO.; BRAZORIA COUNTY MOSQUITO	§
DISTRICT; BRAZOS VALLEY ENERGY LLC;	§
THE BREAKFAST KLUB, INC.; BRENNAN'S	§
OF HOUSTON, INC.; BRINKER	§
INTERNATIONAL, INC.; BRITISH PUBS, LC	§
D/B/A RED LION; BROOKFIELD	§
PROPERTIES CORP.; BROTHERS PIZZERIA,	§
INC.; BUFFALO GRILLE, INC.; BUFFETS,	§
LLC D/B/A RYAN'S; BURGER TEX; C	§
CHANG, INC. D/B/A EASTERN CHINESE	§
RESTAURANT; CC & YY CORPORATION	§
D/B/A MANNIE'S SEAFOOD MARKET	§
RESTAURANT; C.R. MCCASKILL	§
ENTERPRISES, INC. D/B/A TIDELAND	§

GREASE TRAP SERVICE; CEDA, INC.; CKG §  
 SERVICES LLC; CLP CHEMICALS L.P.; §  
 CTYD III CORPORATION D/B/A §  
 COURTYARD BY MARRIOTT; CAJUN §  
 OPERATING COMPANY D/B/A CHURCH'S §  
 CHICKEN; CALCO MARKETING, INC.; §  
 CALDERON FOODS INC. D/B/A PAN RIKO §  
 BAKERY; CAMERON INTERNATIONAL §  
 CORP.; CAMERON RIG SOLUTIONS, INC.; §  
 THE CANDY WRAPPERS, LLC D/B/A THE §  
 CHOCOLATE BAR; CARILLO BROTHERS §  
 AUTO SALES, INC.; CEDARWOOD §  
 DEVELOPMENT, INC. D/B/A CEDARWOOD §  
 DEVELOPMENT OF TEXAS, INC.; CHAMP §  
 BURGER; CHAR BURGER; CHARLIE'S DELI; §  
 CHEMICAL TRANSPORT, INC.; CHERRY §  
 TOP BAKERY; CHILOS SEAFOOD §  
 RESTAURANT, INC.; CHINA DOLL §  
 RESTAURANT; CHINA GARDEN; CIBO, INC. §  
 D/B/A DAMIAN'S CUCINA ITALIANA; CICI'S §  
 ENTERPRISES, LP D/B/A CICI'S PIZZA; §  
 CITGO PETROLEUM CORP.; CITY OF §  
 BRYAN, TEXAS; CITY OF CONROE, TEXAS; §  
 CITY OF FREEPORT, TEXAS; CITY OF LA §  
 MARQUE, TEXAS; CITY OF LA PORTE, §  
 TEXAS; CITY OF PASADENA, TEXAS; §  
 SEVERN TRENT SERVICES; CITY WASTE, §  
 L.P.; CLAREWOOD HOUSE, INC.; CO- §  
 TRANS, INC. D/B/A CTI; COACH USA, INC.; §  
 COAL CITY COB CO., INC.; COASTAL §  
 TRANSPORT CO., INC.; COLE CHEMICAL & §  
 DISTRIBUTING, INC.; COLONIAL HOUSE OF §  
 SANDWICHES; COMPLEAT CUISINE, INC.; §  
 CONESTOGA-ROVERS & ASSOCIATES INC.; §  
 CONCRETE PRODUCERS SOLUTIONS, INC.; §  
 CONN'S SERVICE CENTER, INC.; CONN'S, §  
 INC.; CONSOLIDATED RESTAURANT §  
 OPERATIONS, INC.; CONSOLIDATED §  
 WASTE, LLC D/B/A LIQUID WASTE §  
 SOLUTIONS; CONSTRUCTION MASTERS OF §  
 HOUSTON, INC.; CONTROL SOLUTIONS, §  
 INC.; COWBOY RANCH, GRILL AND §  
 CANTINA, INC.; CRYSTAL WAREHOUSE §  
 CORP.; CURRAN INTERNATIONAL, INC.; D- §  
 HAWK GREASE TRAP CO.; D. HOUSTON, §  
 INC. D/B/A TREASURES; D&J MORALES §

BAKERY; DNOW, L.P.; DPJ SERRA, INC.	§
D/B/A FIESTA TACOS; D.S. ANTHONY &	§
SONS, INC.; DS SERVICES OF AMERICA,	§
INC.; DSMM, INC. D/B/A POP	§
SUPERMARKET; DAN-LOC BOLT &	§
GASKET CO.; DANA TRANSPORT, INC.;	§
DANG & SONS, INC.; DANNY HERMAN	§
TRUCKING, INC.; DEER PARK ENERGY	§
CENTER LLC; DEL PUEBLO RESTAURANT	§
GROUP, INC. D/B/A DEL PUEBLO MEXICAN	§
RESTAURANT; DELI MANAGEMENT, INC.	§
D/B/A JASON'S DELI; DELTA PETROLEUM	§
CO., INC.; GREIF, INC.; DELTA SPECIALTY	§
COATINGS LLC; DEMONTROND BUICK	§
COMPANY D/B/A DEMONTROND	§
AUTOMOTIVE GROUP, INC.; DENT	§
REMOVERS, INC. D/B/A TEXAS CAR WASH;	§
DEPOSITION TECHNOLOGY INC.;	§
DIMASSI'S MEDITERRANEAN BUFFET;	§
DOLLAR THRIFTY AUTOMOTIVE GROUP,	§
INC.; DOMINO'S PIZZA LLC; DON PICO'S	§
MEXICAN RESTAURANT; DONUT TIME;	§
THE DOWNTOWN CLUB, INC.; DOYLE'S	§
DELICATESSEN, INC. D/B/A DOYLE'S	§
RESTAURANT; DRANE RANGER VACUUM	§
SERVICE; DROUBI'S BAKERY & DELI, INC.;	§
DUAL TRUCKING INC.; DUREK	§
INVESTMENTS, INC.; E-TRANSPORT	§
CARRIERS, INC.; E.S.R. ELECTRONICS, INC.;	§
EAGLE CONSTRUCTION AND	§
ENVIRONMENTAL SERVICES, LLC D/B/A	§
SWS ENVIRONMENTAL SERVICES; EARTH	§
MATERIAL SERVICES LLC; ECONOMIC	§
ENVIRONMENTAL SERVICES, INC.; EL	§
IMPERIAL MEXICAN RESTAURANTS, INC.	§
D/B/A EL IMPERIAL MEXICAN	§
RESTAURANT; EL PAPATURRO; EL	§
QUETZAL BAKERY & RESTAURANT; EL	§
TAQUITO MEAT MARKET INC.; EMPIRE	§
RESTAURANTS, LP D/B/A EMPIRE CAFÉ;	§
EMPIRE TRUCK LINES, INC.; ENTERPRISE	§
OPERATING COMPANY D/B/A THE ST.	§
JAMES RESTAURANT & CABARET;	§
ENVIRONMENTAL EARTH-WISE, INC.;	§
ENVIRO-VAC, LTD.; EVERGREEN	§
ENVIRONMENTAL SERVICES, LLC D/B/A	§

EVERGREEN INDUSTRIAL SERVICES;	§
ENVIRONMENTAL DISPOSAL SOLUTIONS,	§
INC.; EVERGREEN VACUUM SERVICE, LLC;	§
ESCO MARINE INC.; RESOLVE MARINE	§
GROUP, INC.; ESTES EXPRESS LINES;	§
EUROPEAN BAKERY GROUP, INC. D/B/A	§
ASHCRAFT BAKERY; EXCEL INDUSTRIAL	§
GROUP, LLC; EXCELLENT INC. D/B/A	§
KWIKS TOP; FAM MARINE SERVICES, INC.;	§
FAMOUS WOK USA, INC.; FAROUK	§
SYSTEMS, INC.; FARRELL WINGS, INC.	§
D/B/A WINGS 'N THINGS; 59 DINER;	§
FIREBIRD BULK CARRIERS, INC.; FIRED UP,	§
INC.; FLAN EX TRANSPORTATION; FLEX	§
OIL SERVICE, LLC; FLUID SEALING	§
PRODUCTS, INC.; FORMOSA PLASTICS	§
CORP., U.S.A.; 4-CORNERS BBQ; FOUR	§
SEASONS HOTEL HOUSTON; FRANK'S	§
GRILL; FULTON WASHATERIA; G. TORRES,	§
INC. D/B/A LA TAPATIA TAQUERIA	§
MEXICAN CAFE; GATOR	§
ENVIRONMENTAL & RENTALS, INC.;	§
GATOR JUNCTION INC. D/B/A GATOR	§
JUNCTION BBQ; GEORGE'S PIZZERIA &	§
ITALIAN CUISINE; GERARDO'S DRIVE INN	§
GROCERY; GILLMAN, INC. D/B/A GILLMAN	§
HONDA; GO WEST FABRICATORS & RIG	§
STAR, INC.; DREFCO, INC. D/B/A GO WEST	§
FABRICATORS; GOLDEN OPPORTUNITY	§
RECYCLING SERVICE; GOLDEN SEAFOOD	§
HOUSE; GOODGAMES INDUSTRIAL	§
SOLUTIONS, LLC; GORHAM EXPORT	§
PACKING, LLC; GRAND PARKWAY	§
DOCTORS CENTER; GREASE RECYCLERS	§
CO-OP; GREENHUNTER BIOFUELS, INC.;	§
GREENHUNTER RESOURCES, INC.;	§
GRISBY'S, INC.; GRUMA CORPORATION	§
D/B/A MISSION FOODS CORP.; GUAD. NO.	§
4-FOUNTAINS, LTD. D/B/A GUADALAJARA	§
HACIENDA; EL PALENQUE MEXICAN	§
RESTAURANT AND CANTINA, INC. D/B/A	§
FIESTA EN GUADALAJARA;	§
GULBRANDSEN TECHNOLOGIES INC.;	§
GULF COAST OIL RECYCLING; GULF	§
COAST WASTE DISPOSAL AUTHORITY;	§
GULF STATES ENVIRONMENTAL	§

SOLUTIONS, INC.; H2O INDUSTRIAL	§
SERVICES, LLC; H&H OIL, L.P; APPROVED	§
REMEDIATION & RECYCLING OF OIL	§
WASTE, INC.; ARROW RECYCLING; HGM	§
PRODUCTS GROUP, LLC; H.R. RICHARDS	§
CAJUN RESTAURANT LLC D/B/A	§
RICHARDS CAJUN RESTAURANT; HARRIS	§
COUNTY, TEXAS; HARTZ FRANCHISE	§
RESTAURANTS, LTD.; HERCULES	§
OFFSHORE, INC.; HERNANDEZ TX TACO	§
EXPRESS; HICKORY HOLLOW	§
RESTAURANT & CATERING; HIGHLAND	§
THREADS, INC.; HIGHWAY TRANSPORT,	§
INC.; HIPPO WASTE SYSTEMS, LLC; HO HO	§
HO EXPRESS INC.; HOLCOMB	§
ENVIRONMENTAL OIL SERVICES LLC;	§
HOLMAN SHIPPING, INC.; HOUSTON AREA	§
WOMEN’S CENTER, INC.; THE HOUSTON	§
CLUB; HOUSTON COMEDY, L.P. D/B/A	§
IMPROV COMEDY CLUB & RESTAURANT;	§
HOUSTON ENGINE & BALANCING	§
SERVICE; HOUSTON HARRIS COUNTY	§
SEPTIC TANK SERVICE; THE HOUSTON	§
HOUSING AUTHORITY; HOUSTON	§
INDEPENDENT SCHOOL DISTRICT;	§
HOUSTON MOTOR SPEEDWAY CORP.;	§
HOUSTON PENNZOIL PLACE L.P.;	§
HOUSTON SHUTTERS LLC; HSIANG E	§
ENTERPRISE, LLC D/B/A SASAKI JAPANESE	§
RESTAURANT; HUFFMAN INDEPENDENT	§
SCHOOL DISTRICT; HUMBLE ELEVATOR	§
SERVICE, INC.; HUNAN RIVER BISTRO	§
CHINESE CUISINE; IBEX CHEMICALS, INC.;	§
IPSCO, KOPPEL TUBULARS, L.L.C.; IGNITE	§
RESTAURANT GROUP; INTERNATIONAL	§
BANK OF COMMERCE; INTERNATIONAL	§
PAPER CO.; INTERNATIONAL	§
RESTAURANT MANAGEMENT GROUP,	§
INC.; INTRA-SERVICES INC.; ITALIAN	§
CULTURAL & COMMUNITY CENTER OF	§
HOUSTON; J&D OIL SERVICE; JDST, INC.	§
D/B/A SOL SUPERMARKET; J.L. PROLER	§
IRON & STEEL CO.; J.L.H. AUTOMOTIVE,	§
LTD. D/B/A JEFF HAAS MAZDA; JTB	§
RECYCLING FACILITY, INC.; JEFF'S	§
KITCHEN, MEAT MARKET AND SMOKE	§

HOUSE; JIFFY LUBE; JOHN'S BROILER	§
BURGER; K-3 RESOURCES, L.P. D/B/A K-	§
3BMI; KHSS VENTURES, INC. D/B/A	§
SKILLET'S; KSRV FOOD CHAIN	§
ENTERPRISE, INC. D/B/A CHINA STIX;	§
KAREN & KAREN, INC. D/B/A PIATTO	§
RISTORANTE; KATY INDEPENDENT	§
SCHOOL DISTRICT; KELLY-SPRINGFIELD;	§
KEY ENERGY SERVICES, INC.; KEYAAN	§
LLC D/B/A MONTERREY FOOD CITY;	§
MONTEREY'S ACQUISITION CORP. D/B/A	§
MONTEREY'S LITTLE MEXICO; KINDRA	§
ENVIRONMENTAL ENTERPRISES, INC.	§
D/B/A J&R SERVICES; KIRBY INLAND	§
MARINE, LP; KIRBY'S STEAKHOUSE, LTD.;	§
KURUMAYA RESTAURANT, LTD. D/B/A	§
SUSHI JIN; LEL ENVIRONMENTAL, LTD.;	§
LH NEAT SERVICES, LLC D/B/A KIM HAI	§
CHINESE AND VIETNAMESE; LA	§
BAGUETTE FRENCH BAKERY; LA CASA	§
DEL CABRITO MEXICAN RESTAURANT &	§
BAR; LA COLOMBE D'OR RESTAURANT	§
AND HOTEL, LLC; LA MORELIANA, CORP.	§
D/B/A LA MORELIANA MEAT MARKET; LA	§
PUPUSA LOCA RESTAURANT; LABARGE	§
COATING, LLC;LAFAYETTE CAJUN	§
SEAFOOD; LAMBO INC. D/B/A LAM BO;	§
LARRY'S BAR-B-Q; LAS HADAS MEXICAN	§
RESTAURANT, INC.; LATIPAC	§
COMMERCIAL, INC.; WHOLE FOODS	§
MARKET, INC.; LAZEEZA RESTAURANT; LE	§
CEP, INC. D/B/A BISTRO LE CEP; LEAGUE	§
CITY, TEXAS; LEGACEE INTERNATIONAL	§
ENVIRONMENTAL SERVICES, INC. D/B/A	§
TEXAS WASTE CARRIERS; LEGACY	§
PARTNERS; LEWIS' ACRES SERVICE, INC.;	§
LIFE CARE CENTERS OF AMERICA, INC.;	§
LIGHTHOUSE ENVIRONMENTAL	§
SERVICES, INC.; LIN HO COMPANY D/B/A	§
THE PIE FACTORY; LINH ANH	§
INVESTMENTS, INC. D/B/A A LY ORIENTAL	§
FOOD RESTAURANT; LION INDUSTRIAL	§
RESOURCES, INC.; LIQUID	§
ENVIRONMENTAL SOLUTIONS OF TEXAS,	§
LLC; LOCKHEED MARTIN CORPORATION;	§
LOLA'S ENTERPRISES CORP. D/B/A SAGE	§

400 JAPANESE CUISINE; LOS CUCOS	§
MEXICAN CAFE, INC.; LOS GALLITOS	§
MEXICAN CAFE II, INC.; M&M	§
PROTECTION, LLC; MECX, LP; MMJ	§
INDUSTRIES, INC. F/K/A CUSTOM	§
ECOLOGY, INC.; MTI ENVIRONMENTAL	§
LLC; MTI SERVICES, LLC; MACK'S	§
STANDARD TRANSMISSION, INC.; MAI	§
TRAN, INC. D/B/A DANNY'S CAFÉ & GRILL;	§
MAMA'S OVEN; MARIA SELMA	§
RESTAURANT, LLC; MARK DENNARD	§
ENTERPRISES, INC. D/B/A WINGS 'N MORE;	§
MARKET TRUCK STOP, INC. D/B/A TEXAS	§
TRUCK STOP; MARTIN MIDSTREAM	§
PARTNERS L.P.; MARTIN RESOURCE	§
MANAGEMENT CORP.; MARTIN	§
OPERATING PARTNERSHIP L.P.; MARTIN	§
PREFERRED FOODS, LP D/B/A MARTIN	§
FOOD SERVICE CO.; MARTIN TRANSPORT,	§
INC.; MASSEY INDUSTRIES INC.; MASTER-	§
HALCO, INC.; MATAGORDA COUNTY	§
NAVIGATION DISTRICT NO. 1; MATTE	§
INDUSTRIAL SERVICES, LLC; MAVERICK	§
TUBE CORP.; MAYURI INDIA CUISINE, INC.	§
D/B/A MAYURI INDIAN RESTAURANT;	§
MCCLINTOCK CORP.; METRO GREASE	§
SERVICE LLC; MEXICO LINDO MARKET;	§
MIDSTATE ENVIRONMENTAL SERVICES,	§
LP; MIKE'S SOFT TOUCH INC.; MILENA	§
INC. D/B/A DA MARCO; MILLER'S CAFE;	§
MILLERCOORS LLC; MILSTEAD	§
MANAGEMENT, LLC; MILSTEAD	§
AUTOMOTIVE, LTD.; MISTRAL INC. D/B/A	§
CAFÉ RABELAIS; MITSUI & CO. (U.S.A.),	§
INC.; MO BETTER MEAT COMPANY INC.;	§
MOELLER'S BAKERY, INC.; MONTGOMERY	§
COUNTY, TEXAS; MONUMENT INN, INC.	§
D/B/A MONUMENT INN RESTAURANT;	§
MOON PALACE, INC.; MOORE CONTROL	§
SYSTEMS, INC.; MORCO TESTING;	§
MORGAN OIL CO.; MUNOZ ENTERPRISES,	§
INC.; MYUNG DONG RESTAURANT;	§
MZTECH, INC. D/B/A UTS	§
ENVIRONMENTAL; NEW CHINESE STAR	§
RESTAURANT INC. D/B/A CHINESE STAR	§
RESTAURANT; NEW YORK PIZZERIA, INC.;	§



NIKJIKI INC. D/B/A GINZA JAPANESE	§
RESTAURANT; NIPPON RESTAURANT,	§
INC.; NORSON SERVICES LLC; ENERMECH	§
MECHANICAL SERVICES, INC.; NORTH	§
AMERICAN MARINE, INC.; NORTH	§
AMERICAN OIL; NAOR; NORTH AMERICAN	§
PACKAGING CORP.; NORTHGATE	§
COUNTRY CLUB MANAGEMENT, LLC; OIL	§
PATCH TRANSPORTATION, INC.; OLYMPIA	§
BREAD CONCEPTS CORP. D/B/A STONE	§
MILL BAKERS; OLYMPIC POOLS, INC.	§
D/B/A OLYMPIC POOLS & SPAS; 15700 JFK	§
BOULEVARD, LLC D/B/A SHERATON	§
HOUSTON NORTH; ONION CREEK, LLC	§
D/B/A ONION CREEK; ORIGINAL NAPOLI	§
FLYING PIZZA & ITALIAN RESTAURANT,	§
INC.; PSC INDUSTRIAL SERVICES, LP; PSC	§
INDUSTRIAL OUTSOURCING, LP; PWT	§
ENTERPRISES, INC. D/B/A KING KLEEN	§
CAR WASH; PAPA MEX; PARC	§
CONDOMINIUM ASSOCIATION;	§
PATRENELLA'S RESTAURANT, INC.; PATTY	§
OIL SERVICE; PEARLAND INDEPENDENT	§
SCHOOL DISTRICT; PEIFON FOOD USA,	§
INC. D/B/A SOUTHERN NOODLE COMPANY,	§
INC.; PELICAN WASTE SERVICES, INC.;	§
PENN MARITIME INC.; PENNZOIL-QUAKER	§
STATE CO.; PENSKE TRUCK LEASING CO.,	§
L.P.; PEPI CORP. D/B/A ALONTI CAFÉ &	§
CATERING; PETROLEUM WHOLESALE, L.P.	§
D/B/A SUNMART; PHILIP RECLAMATION	§
SERVICES, HOUSTON, LLC; PHOENIX	§
POLLUTION CONTROL &	§
ENVIRONMENTAL SERVICES, INC.; PHO'S	§
INVESTMENT INC. D/B/A CHINESE WOK;	§
PINNACLE HEALTH FACILITIES XV, LP	§
D/B/A BRIARWOOD NURSING &	§
REHABILITATION; POLLO RIKO, INC.;	§
POLYMER CHEMISTRY INNOVATIONS,	§
INC.; POOM THAI, INC. D/B/A NIT NOI THAI	§
RESTAURANT; PREMIER CASH INC. D/B/A	§
JUST OXTAILS SOUL FOOD AND FORTY	§
WEIGHT GRAVY; PRIDE AND POWER INC.;	§
PRINCE'S HAMBURGERS; PRINTPACK, INC.;	§
PROFESSIONAL AIR SYSTEMS, INC.;	§
PRONTO CUCININO, L.P.; PUBLIC	§

SANITARY WORKS, INC.; PULIDO	§
TRUCKING, LP; MARTIN PULIDO	§
TRUCKING INC.; THE PYRAMID	§
COMMUNITY DEVELOPMENT	§
CORPORATION D/B/A THE POWER	§
CENTER; THE QUIZNO'S MASTER LLC;	§
R.I.J. INDUSTRIES INC. D/B/A PORT CAFE;	§
RAILROAD COMMISSION OF TEXAS;	§
RANDALL'S FOOD MARKETS, INC.; THE	§
RECTORSEAL CORP.; RED LOBSTER	§
MANAGEMENT LLC; REGGAE HUT CAFÉ;	§
REGIO VACUUM SERVICE, INC.; REM	§
RESEARCH GROUP, INC.; RESCAR	§
COMPANIES, INC.; RICE EPICUREAN	§
MARKETS, LLC; RIOVERDE TAQUERIA Y	§
RESTAURANTE; RIVA'S ITALIAN	§
RESTAURANT AND BAR; RIVAS/GARCIA,	§
INC. D/B/A GABACHO'S MEXICAN GRILL;	§
ROBBIE D. WOOD, INC.; ROMANO'S FLYING	§
PIZZA & PASTA, INC. D/B/A ROMANO'S	§
PIZZA; ROMTEX ENTERPRISES, INC.; RONE	§
ENGINEERING SERVICES, LTD.; LEI RONE	§
ENGINEERS, LTD.; RUCHI'S EL RINCON DE	§
MEXICO GRILL; RUMAN ADEM, INC. D/B/A	§
PAN DU JOUR; S&K PETROLEUM	§
TRANSPORTATION, INC.; S. HOLCOMB	§
ENTERPRISES, INC. D/B/A HOLCOMB OIL	§
RECYCLING; SK ZTEX LLC D/B/A	§
STEAKCOUNTRY BUFFET; SAFARI	§
RESTAURANT; ST. GILES LIVING CENTERS,	§
INC.; SAMBUCA HOUSTON, L.P.;	§
SANDWICH KING, INC.;	§
SAVASENIORCARE, LLC; SBARRO LLC;	§
SCHABUETT, INC. D/B/A ROLAND'S SWISS	§
PASTRY & BAKERY; SCHULTZ BROS., INC.;	§
SEAFOOD CORNER; SEARS HOLDINGS	§
CORPORATION; SEMASYS, INC.; 76 YALE;	§
SHAWCOR PIPE PROTECTION, LLC;	§
SHELDON INDEPENDENT SCHOOL	§
DISTRICT; SHELL OIL CO.; SHELLY DO-	§
NUTS; SHELTON SERVICES INC.; J.J.	§
SHELTON; SHIPLEY DO-NUT FLOUR &	§
SUPPLY CO., INC.; SHIRE, INC. D/B/A	§
HOBBIT CAFE; SHYAMA ENTERPRISES,	§
INC. D/B/A FLAGSHIP AUTO/TRUCK STOP;	§
SILVERADO SENIOR LIVING, INC.; SMITH	§

SYSTEMS TRANSPORTATION, INC.; SOUTH §  
 ATLANTIC SERVICES, INC.; SOUTH BEACH §  
 POOLS, LLC; SOUTHERN CORE SUPPLY, §  
 INC.; SOUTHERN DISCOUNT VACUUM §  
 SERVICE; SOUTHERN TECHNOLOGIES §  
 SERVICES; ALLRIG INC.; SOUTHERN §  
 TECHNOLOGIES INC.; SOUTHWASTE §  
 DISPOSAL, LLC; SOUTHWEST LTC-GULF §  
 HEALTHCARE, LTD. D/B/A GULF §  
 HEALTHCARE CENTER; SPAGHETTI §  
 WAREHOUSE RESTAURANTS, INC.; §  
 SPARERIBS, INC. D/B/A PIZZITOLA'S BAR- §  
 B-QUE; SPARKLER FILTERS, INC.; §  
 SPECIALIZED MAINTENANCE SERVICES, §  
 INC.; SPECIALIZED WASTE SYSTEMS, INC.; §  
 SPECIALTY METAL FINISHING, INC.; §  
 SPECIALTY RESTAURANTS CORP. D/B/A §  
 BRADY'S LANDING; SPRING BRANCH §  
 INDEPENDENT SCHOOL DISTRICT; STAN §  
 SHAH CORPORATION, INC. D/B/A JD'S §  
 LITTLE STORE; THE STANLEY GROUP, INC. §  
 D/B/A KWIK KAR LUBE & TUNE ON §  
 BROADWAY; STAR TEXAS TRUCK & §  
 FABRICATION, INC.; STEAMBOAT BILL'S, §  
 INC.; STEPHEN F. AUSTIN STATE §  
 UNIVERSITY; STRIPING UNLIMITED CORP.; §  
 SUGARLAND PETROLEUM, INC.; SUNBELT §  
 RENTALS, INC.; SUNBELT STEEL TEXAS, §  
 INC.; SUNCOAST CHEMICALS, INC.; SUPER §  
 LOPEZ FOOD PRODUCTS AND TORTILLA §  
 FACTORY INC.; SWANSON SUBWAY; §  
 SYNTECH CHEMICALS, INC.; SYSCO §  
 LOUISIANA SEAFOOD LLC D/B/A §  
 LOUISIANA FOODS GLOBAL SEAFOOD §  
 SOURCE; SYSCO HOUSTON, INC.; T&L §  
 ENVIRONMENTAL SERVICES, INC.; TAP, §  
 INC. D/B/A BIG K ENVIRONMENTAL; TFC §  
 CONSULTANTS, INC. D/B/A FU'S GARDEN; §  
 TXU ENERGY RETAIL COMPANY LLC; §  
 TAJINDIA, INC. D/B/A TAJ INDIA §  
 RESTAURANT; TAQUERIA "LA FAVORITA"; §  
 MI TIEMPO CORP. D/B/A MI FAVORITA §  
 MEAT MARKET NO. 2; TAQUERIA §  
 CANCUN; TAQUERIA EL ALTENO NO. 1 §  
 INC. D/B/A TAQUERIA EL ALTENO; §  
 TAQUERIA EL JIMADOR; TAQUERIA EL §

SOL DE JALISCO; TAQUERIA LAS	§
LLARDAS MEXICAN RESTAURANT, INC.;	§
TAQUERIAS LOS CHARROS, INC.; TAYLOR	§
PRESS PRODUCTS CO.; TECATE CC TOWN,	§
LLC D/B/A TECATE MEXICAN	§
RESTAURANT & CANTINA; TELOLOAPAN	§
MEAT MARKETS, INC.; TENARIS COILED	§
TUBES LLC; TEODORO HINOJOSA, INC.	§
D/B/A HET ENVIRONMENTAL; TEX-TUBE	§
CO.; TEXACO INC.; TEXAS A&M	§
UNIVERSITY; TEXAS CITY INDEPENDENT	§
SCHOOL DISTRICT; TEXAS COUPLINGS,	§
L.P.; TEXAS DEPARTMENT OF CRIMINAL	§
JUSTICE; TEXAS DEPARTMENT OF	§
TRANSPORTATION; TEXAS GENERAL	§
LAND OFFICE; WESTERN SEAFOOD CO.;	§
TEXAS INTERNATIONAL BOX COMPANY &	§
RENTALS, INC.; TEXAS INTERNATIONAL	§
BOX CO.; TEXAS K&N INTERNATIONAL,	§
INC. D/B/A HUNGRY FARMER BARBECUE;	§
TEXAS RACQUET & SPA, INC. D/B/A	§
WESTSIDE TENNIS CLUB; TEXAS	§
SOUTHERN UNIVERSITY; TEXAS STATE	§
UNIVERSITY SYSTEM; TEXAS STERLING	§
CONSTRUCTION CO.; TEXAS TAMALE CO.,	§
INC.; TEXAS WATER MANAGEMENT LLC;	§
THAI GOURMET, INC. D/B/A THAI	§
GOURMET RESTAURANT; THIEM HUNG	§
BAKERY; THREE BROTHERS BAKERY,	§
INC.; THREE GRINGOS RESTAURANT	§
CONSULTANTS, INC. D/B/A FAJITA FLATS;	§
TIDEPORT DISTRIBUTING, INC.; TIERRA	§
VIVA INC. D/B/A EL PUEBLITO PATIO AND	§
MANGO'S CANTINA; TIOMAN ISLAND, INC.	§
D/B/A FAR EAST CHINESE RESTAURANT;	§
TIONA TRUCK LINE, INC.; TITO'S TACO	§
SHOP; TOP NOTCH TRANSPORTATION,	§
INC.; TRANS-GLOBAL SOLUTIONS, INC.;	§
TRANSMONTAIGNE PRODUCT SERVICES	§
INC.; HEIDMAR INC.; TRANSWORLD DELI;	§
TRI LOTUS SEAFOOD, INC. D/B/A LOTUS	§
SEAFOOD MARKET; TRI-STAR PROTECTOR	§
SERVICES CO.; TRIAD TRANSPORT, INC.;	§
TRIGOS MEXICAN RESTAURANT; TRIPLE B	§
INDUSTRIAL SERVICES; TUNG HOI	§
RESTAURANT INC. D/B/A TUNG HOI	§

RESTAURANT; TURNECO OIL AND	§
SERVICE; TURNER CO.; TYLER MD	§
HOLDINGS LLC; URS CORP.; USA	§
ENVIRONMENT, LP; GC REMEDIATION,	§
LTD.; USA INDUSTRIAL SERVICES; USA	§
VACUUM, LLC; USCAR LLC D/B/A AUTO	§
CHECK #9; AUTOCHECK FRANCHISING	§
SYSTEMS, LLC; UNITED ENVIRONMENTAL	§
SERVICES, LLC; UNITED STATES COAST	§
GUARD; UNITED STATES NAVY;	§
UNIVERSITY OF HOUSTON; UNIVERSITY	§
OF SAINT THOMAS; THE UNIVERSITY OF	§
TEXAS SYSTEM; USAG RECYCLING, INC.;	§
VALENCIA INTERESTS-HOUSTON, INC.	§
D/B/A THE LANCASTER HOTEL; VALKYRIE	§
COMMISSIONING SERVICES, INC.;	§
VOLUNTEERS OF AMERICA TEXAS, INC.;	§
W. PERRY’S INC.; WAEI MC CO. D/B/A	§
WAEI’S MEDITERRANEAN CUISINE; WAN	§
FU EXPRESS RESTAURANT; WATCO	§
COMPANIES, LLC; WEATHERFORD U.S.,	§
L.P.; WESTERN OILFIELDS SUPPLY CO.	§
D/B/A RAIN FOR RENT; WESTERN	§
PROPERTIES CO.; WESTROCK CP, LLC;	§
WILLIAMS FRIED CHICKEN, INC.; THE	§
WOODLANDS COUNTY CLUB; YALE GRILL	§
AND DINER; ZDM CORPORATION D/B/A	§
ZYDECO LOUISIANA DINER; AND ZUST	§
BACHMEIER OF SWITZERLAND INC.,	§
	§
Defendants.	§

## **SECOND AMENDED COMPLAINT**

For its Second Amended Complaint, Plaintiff USOR Site PRP Group (“USOR Site PRP Group”), by and through counsel, alleges as follows:

## **STATEMENT OF THE CASE**

1. This is a civil action pursuant to the provisions of the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended, 42 U.S.C. § 9601 *et seq.* (“CERCLA”) and the Texas Solid Waste Disposal Act, Tex. Health & Safety Code Ann. § 361.001 *et seq.* (“TSWDA”), for recovery of past and future response costs incurred and to be incurred by the USOR Site PRP Group for response activities undertaken and to be undertaken at the U.S. Oil Recovery Superfund Site, which consists of property located at 200 North Richey Street and 400 North Richey Street in the City of Pasadena, Harris County, Texas, as well as any area where hazardous substances that migrated from the U.S. Oil Recovery Superfund Site have come to be located (hereinafter “USOR Site”).

2. The USOR Site PRP Group seeks cost recovery and contribution from each Defendant pursuant to Sections 107(a) and 113(f) of CERCLA, 42 U.S.C. §§ 9607(a) and 9613(f), and pursuant to Sections 361.343 and 361.344 of the TSWDA, Tex. Health & Safety Code Ann. §§ 361.343, 361.344, for past and future response costs which the USOR Site PRP Group has paid and may pay in the future at the USOR Site, along with a declaration as to each Defendant’s liability and an allocation of past and future response costs among all parties.

3. The USOR Site PRP Group also seeks damages on its breach-of-contract claims against Defendants Norson Services LLC, USA Environmental, LP and USAg Recycling, Inc.

## **JURISDICTION AND VENUE**

4. This Court has jurisdiction over the subject matter of this action pursuant to Sections 107(a) and 113(b) of CERCLA, 42 U.S.C. §§ 9607(a) and 9613(b), providing jurisdiction over controversies arising under CERCLA; and pursuant to 28 U.S.C. § 1331, providing for jurisdiction over controversies involving federal questions of law. This Court has

supplemental jurisdiction over the TSWDA and breach-of-contract claims since the federal and state law claims in this cause derive from the same set of facts.

5. Venue is proper in this district pursuant to Sections 107(a) and 113(b) of CERCLA, 42 U.S.C. §§ 9607(a) and 9613(b); 28 U.S.C. §§ 1391(b) and (c); and Section 361.344 of the TSWDA, Tex. Health & Safety Code Ann. § 361.344, because the release or threatened release of hazardous substances occurred at or from the USOR Site located in this judicial district and in Harris County.

### **ALLEGATIONS COMMON TO ALL CLAIMS**

6. The USOR Site encompasses approximately 18 acres and consists of two separate properties located at the former U.S. Oil Recovery facility at 400 N. Richey Street and the MCC Recycling facility at 200 N. Richey Street, respectively, in the City of Pasadena, Harris County, Texas. The 200 N. Richey Street property was a former sewage treatment plant owned by Defendant City of Pasadena, Texas from approximately 1944 until it was acquired by U.S. Oil Recovery in January 2009.

7. Throughout its operating life, the U.S. Oil Recovery facility portion of the USOR Site received and performed wastewater pretreatment of municipal and Industrial Class I and Class II wastewater, characteristically hazardous waste, used oil and oily sludges, and municipal solid waste. Associated operations were conducted at the MCC Recycling facility portion of the USOR Site after it was acquired by U.S. Oil Recovery from the City of Pasadena in January 2009.

8. U.S. Oil Recovery kept track of materials that were brought to the USOR Site through hazardous waste manifests and invoices (hereinafter collectively “USOR Site Records”).

9. The USOR Site property was abandoned by the owners and operators in June 2010. In July 2010, a State court appointed a Receiver with legal custody and control over the USOR Site. Among other things, the Receiver's role is to assist the USOR Site PRP Group in its performance of EPA-approved response actions at the USOR Site.

10. On July 1, 2010, the Texas Commission on Environmental Quality ("TCEQ") and Harris County Public Health and Environmental Services ("HCPHES") contacted the National Response Center ("NRC") and U.S. Environmental Protection Agency ("EPA") hotlines requesting assistance in stabilizing the Site and managing a large volume of hazardous substances and waste in preparation for a significant weather season, based on the historical USOR Site knowledge and the near proximity to Vince Bayou.

11. As of July 2010, the U.S. Oil Recovery facility portion of the USOR site included 225 (25 cubic yard) roll-off containers; approximately 797 (55 gallon) drums; approximately 212 (300 to 400 gallon) totes; approximately 24 (1,000 to 30,000 gallon) above-ground storage tanks ("ASTs") in varying degrees of operability outside on the north end of the facility with secondary containments; an approximate 300,000 gallon capacity dual cell bioreactor in poor condition located in the northwest side of the U.S. Oil Recovery facility portion with approximately 3 to 4 feet of material (liquids, sludge and solids) and structural damage (reportedly from March-April 2009); 2 (20,000 gallon) frac tanks in good condition; a large full retention pond on the west side of the U.S. Oil Recovery facility portion; and a parking lot with standing water between the office and the warehouse.

12. The MCC facility portion of the USOR Site was operated out of the U.S. Oil Recovery facility portion, but is located on both sides of Vince Bayou just southeast across the railroad tracks from the U.S. Oil Recovery facility. As of July 2010, the northeast section of the



MCC facility portion consisted of 2 clarifiers, 2 oxygen digestors, an oxygen activation sludge unit, an oxygen plant, a chlorination building, a lift station, a gravity thickener, an aerobic digester, a belt filter press building, a pump control room, and a chlorine contact tank (basin/concrete containment area). As of July 2010, the southwest section of the MCC facility portion consisted of a high-rate trickling filter, an oil-water separator, a primary clarifier, a final clarifier, and 2 lift stations.

13. EPA conducted three emergency response actions at the USOR Site in July 2010, November 2010 and January 2011, respectively.

14. EPA and its contractors performed preliminary assessments at the USOR Site on July 2, 2010, November 9, 2010 and January 25, 2011. These preliminary assessments identified and observed the historic an ongoing release of hazardous substances from the USOR Site property, both at the U.S Oil Recovery facility and the MCC facility portions of the USOR Site.

15. On July 2, 2010, EPA activated Emergency Rapid Response Services (“ERRS”) contractors to the USOR Site to contain off-site migration, mitigate the threat, and stabilize the USOR Site. Containment actions included placement of booms and absorbent pads, use of pumps and 13 frac tanks, and establishing temporary staging areas for warehouse drums and totes following segregation. Mitigation actions included dropping containment content elevations to below overflow threat levels creating free-board or emptying completely, drum over-packing, drum and tote sampling and assessing by filed hazards characterization analysis, drum and tote segregating and marking, securing roll-off containers (with tarps, bows, or poles as needed), and securing perimeter fencing (repaired section of damaged fence and replaced missing locks).

16. Contaminated liquids at the USOR Site that accumulated from overflowing roll-off containers, containments, secondary containments, the retention pond, unloading bays,

leaking drums and totes, and the parking lot were shipped off-site and disposed of at the Inter Gulf Corporation facility in Pasadena, Texas. The total volume of contaminated liquids removed from the USOR Site during EPA's three emergency response actions was approximately 833,500 gallons. Some of the liquids were neutralized to bring the pH above 2.0 for disposal facility acceptance. Drums and totes inside the warehouse were marked according to field hazard characterization analyses, segregated, over-packed if necessary, and staged according to hazard class.

17. On November 8, 2010, the EPA On Scene Coordinator ("OSC") was contacted by TCEQ and requested additional response assistance at the USOR Site to manage USOR Site runoff of contaminated storm water. EPA activated ERRS contractors and Superfund Technical Assessment and Response Team ("START-3") contractors to mobilize to the USOR Site, contain off-site migration, mitigate the threat, and stabilize the USOR Site. Containment actions included placement of booms and absorbent pads, use of pumps and vacuum trucks, and shipment of liquids for disposal/fuels blending. Mitigation actions included dropping containment content elevations to below overflow threat levels creating free-board or emptying completely, drum and tote management, and containment spray wash where needed or practical. Stabilization actions included reassessing and mitigating any potential threats at the U.S. Oil Recovery facility and MCC facility portions of the USOR Site, respectively.

18. Contaminated liquids that accumulated from overflowing containments, secondary containments, unloading bays, leaking drums and totes, and the parking lot were shipped off-site and disposed of at the Inter Gulf Corporation facility in Pasadena, Texas. Some of the liquids were neutralized to bring the pH above 2.0 for disposal facility acceptance. Some liquids received treatment to address significant hydrogen sulfide levels prior to disposal facility

acceptance. Drums and totes inside the warehouse were managed to continue appropriate segregation and containment. Containments and secondary containments that were open to the elements were emptied of liquids and sludges to minimize future overflow and off-site contamination. Sludges were sampled, transported and disposed of accordingly at the Waste Management facility in Conroe, Texas and the U.S. Ecology facility in Robstown, Texas, respectively.

19. During EPA's emergency response actions at the USOR Site, hazardous substances were detected at and around the USOR Site. Acetone was detected at 1,390 and 1,400 µg/L in samples collected from two uncontrolled releases at the MCC facility portion of the USOR Site, which were draining directly into Vince Bayou. Acetone was also detected in the water sample collected from the top 12 inches of water in the retention pond. Benzene was detected at 18.9 and 46.4 µg/L in samples collected from two uncontrolled releases at the MCC facility portion of the USOR Site, which were draining directly into Vince Bayou. Benzene was also detected at 3.75 mg/L in a sludge sample collected from an AST in the north tank farm at the U.S. Oil Recovery facility portion of the USOR Site. Ethyl benzene was detected at 57.5 and 757 µg/L in samples collected from two uncontrolled releases at the MCC facility portion of the USOR Site, which were draining directly into Vince Bayou. Toluene was detected at 70 and 258 µg/L in samples collected from two uncontrolled releases at the MCC facility portion of the USOR Site, which were draining directly into Vince Bayou. Xylenes were detected at 426 and 4,320 µg/L in samples collected from two uncontrolled releases at the MCC facility portion of the USOR Site, which were draining directly into Vince Bayou. Methyl ethyl ketone was detected at 203 and 198 µg/L in samples collected from two uncontrolled releases at the MCC facility portion of the USOR Site, which were draining directly into Vince Bayou. Methyl ethyl

ketone was also detected at 0.695 mg/L in a sludge sample collected from an AST in the north tank farm at the U.S. Oil Recovery facility portion of the USOR Site. Hydrogen sulfide was detected as high as 1,000 ppm in the liquids recovered from the north tank farm at the U.S. Oil Recovery facility portion of the USOR Site. Sodium hydroxide was detected in an above-ground poly-tank at the U.S. Oil Recovery facility portion of the USOR Site.

20. On August 25, 2011, several potentially responsible parties (“PRPs”), including members of the USOR Site PRP Group, entered into an “Administrative Settlement Agreement and Order on Consent for Removal Action,” CERCLA Docket No. 06-10-11 (“Removal Action AOC”) with EPA to perform specified remaining time-critical removal action activities at the USOR Site, which activities are not yet completed.

21. The Removal Action AOC also requires members of the USOR Site PRP Group to pay future response costs incurred by EPA at the USOR Site after the effective date of the Removal Action AOC (August 25, 2011), which are not inconsistent with the National Oil and Hazardous Substances Pollution Contingency Plan promulgated pursuant to Section 105 of CERCLA, 42 U.S.C. § 9605, codified at 40 C.F.R. Part 300, and any amendments thereto (“NCP”).

22. To date, the removal action activities conducted by the USOR Site PRP Group under the Removal Action AOC include: (1) USOR Site security and video monitoring; (2) regular inspections of the USOR Site; (3) pump down/removal of liquids as necessary to prevent releases from containment areas; (4) removal/disposal of sludges and liquids from two frac tanks and approximately 230 roll-off containers that are on-site; (5) removal/disposal of liquids, sludges and PVC piping from the bioreactor located on the U.S. Oil Recovery facility portion of the USOR Site; (6) demolition of the bioreactor; (7) removal of concrete/steel bioreactor

demolition debris; (8) pumpdown and discharge to Vince Bayou (with prior TCEQ and EPA approval) of accumulated rainwater within the on-site Containment Pond. As part of these efforts, the USOR Site PRP Group has removed and transported/discharged off-site approximately 4,500,000 gallons of liquids and 2,300 tons of sludges.

23. As part of the Removal Action AOC efforts, the USOR Site PRP Group has also completed the assessment of approximately 1,100 containers (drums and totes) from within the warehouse and other areas on the U.S Oil Recovery facility portion of the USOR Site. Following receipt of analytical data for sample collected from these containers, a plan for removal and off-site disposal of the containers and their contents was developed and implemented.

24. As part of the Removal Action AOC efforts, the USOR Site PRP Group also sampled, characterized and removed the contents of approximately 30 ASTs located on within the tank farm at the USOR Site. The liquid wastes in these ASTs have been removed and disposed off-site. Additional removal actions are anticipated to be performed, or as USOR Site conditions warrant action, consistent with the requirements of the Removal Action AOC.

25. On May 14, 2015, several potentially responsible parties (“PRPs”), including members of the USOR Site PRP Group, entered into an “Administrative Settlement Agreement and Order on Consent for Remedial Investigation/Feasibility Study,” CERCLA Docket No. 06-03-15 (“AOI-1 RI/FS AOC”) with EPA to perform a Remedial Investigation/Feasibility Study on the 400 N. Richey Street portion of at the USOR Site, which activities are not yet completed.

26. Through January 31, 2016, the USOR Site PRP Group has incurred approximately \$9,143,150 in response costs at the USOR Site to perform the response cost activities required by the Removal Action AOC and AOI-1 RI/FS AOC.

27. The USOR Site PRP Group will continue to incur response costs to perform the activities required by the Removal Action AOC and AOI-1 RI/FS AOC.

28. In addition, the USOR Site PRP Group has voluntarily incurred other response costs, including consultant and attorney's fees and expenses to search for other PRPs associated with the USOR Site, and other consultant and attorney's fees and expenses that are closely tied to the response actions at the USOR Site, which the USOR Site PRP Group is also entitled to recover against parties liable under CERCLA and/or the TSWDA.

29. The USOR Site PRP Group will continue to incur millions of dollars in response costs to conduct response actions at the USOR Site required by EPA and/or the State of Texas.

#### **THE PARTIES**

30. The USOR Site PRP Group consists of the following entities in their own right, and as assignees of all entities who have or will assign their CERCLA and TSWDA cost-recovery and contribution rights to the USOR Site PRP Group: Air Products and Chemicals, Inc.; Air Products LLC, as successor in interest to Air Products, L.P.; Akzo Nobel Functional Chemicals LLC, as successor to Akzo Nobel Polymer Chemicals LLC; Allied Petrochemical, LLC; American Acryl L.P.; American Spring Wire Corporation; American Valve & Hydrant Mfg. Company; Andrews Transport, L.P.; Ashland Inc.; Baker Petrolite Corporation; Baker Hughes Oilfield Operations, Inc.; BASF Corporation; Blentech Corporation; BNSF Railway Company; BP Products North America Inc.; BP Amoco Chemical Company, for and on behalf of BP Solvay Polyethylene; CenterPoint Energy Houston Electric LLC; Channel Shipyard Company Inc.; Clean Harbors San Leon, Inc. f/k/a/ DuraTherm, Inc.; Cray Valley U.S.A., LLC f/k/a Sartomer Company, Inc.; Crown, Cork & Seal Inc.; DCP Midstream, LP, on behalf of DCP Southeast Texas Plants LLC f/k/a Raywood Gas Plant, LLC; Dana Container, Inc.; Domco

Products Texas Inc.; The Dow Chemical Company; Ecolab Inc.; Effective Environmental, Inc.; Enable Pipeline Services, LLC (formerly CenterPoint Energy Pipeline Services); Ensource Corporation; Enterprise Products Operating LLC on behalf of Enterprise Products Operating, LLC, Enterprise Refined Products Company, LLC, Enterprise TE Products Pipeline Company, LLC, fka TEPPCO, and Enterprise Transportation Company; Ethyl Corporation; Evonik Oil Additives, USA, Inc. (f/k/a Evonik RohMax USA, Inc.); Explorer Pipeline Company; FMC Technologies, Inc.; Fort Bend Regional Landfill, L.P. by Waste Corporation, L.P., its sole general partner; Garner Environmental Services, Inc.; GATX Corporation; General Dynamics Ordnance and Tactical Systems, Inc.; General Electric Company; Groendyke Transport, Inc.; Hexion Inc. f/k/a Momentive Specialty Chemicals Inc.; Houston Pipe Line Company LP; Hydrocarbon Resource Recovery, L.L.C.; INEOS Polyethylene NA; Innovene Polymers Inc.; Innovene Polyethylene N.A.; InkJet, Inc.; Keith, Inc.; Kern-Liebers Texas, Inc.; KMCO, LLP; KMTEX, LTD.; LBC Houston, L.P.; Leedo Manufacturing; Louisiana-Pacific Corporation; The Lubrizol Corporation; Magellan Terminals Holdings, L.P.; Marathon Petroleum Company LP; MEMC Pasadena, Inc.; Miller Transporters, Inc.; Mitsubishi Caterpillar Forklift America Inc.; Norman Transport, Inc.; National Oilwell Varco LP on behalf of National Oilwell Varco, L.P., Andersgauge USA Inc., Grant Prideco LP, Turboscope, Varco Shaffer, T-3 Energy, Pipeline Valve Specialty, R&M Energy Systems, NOV and Robbins & Myers Energy Systems LP; ONEOK Hydrocarbon Southwest, L.L.C.; O'Rourke Dist. Co., Inc. d/b/a/ Select Environmental; PLT3 Liabilities Holdings, L.P. f/k/a Oxid, L.P.; Pilot Industries of Texas; Powell Industries, Inc.; Powell Electrical Systems, Inc. successor to Powell Electrical Manufacturing Company; Progressive Waste Solutions of TX, Inc.; Quala Systems, Inc. for itself and as the indemnitor of Qualawash Holdings, LLC; Safety Kleen Systems, Inc.; Schlumberger Technology Corporation;

Schneider National Bulk Carriers, Inc.; South Coast Terminals LP; Southwest Shipyard, L.P.; Stolt-Nielsen USA Inc.; Styrolution America LLC f/k/a INEOS NOVA LLC and f/k/a INEOS Styrenics LLC; Sun Coast Resources, Inc.; The Sun Products Corporation; Superior Packaging & Distribution, L.P.; Targa Downstream LLC; Targa Midstream Services LLC (f/k/a Dynegy Midstream Services, L.P.); Texas Barge & Boat, Inc.; Texas Oil and Gathering, Inc.; Texas Tile Manufacturing LLC; Texas United Pipe; Texmark Chemicals, Inc.; TPC Group, LLC; Trimac Transportation Inc. f/k/a Trimac Transportation South Inc.; TT Barge Services Mile 237, LLC; TT Barge Cleaning Mile 183, Inc.; United Airlines, Inc.; United States Steel Corporation; Valero Marketing & Supply Co.; Valero Refining Company – Texas, LP; Valero-Terminaling & Distribution Co.; Vopak Logistics Services USA, Inc. on its own behalf and on behalf of Vopak Terminals Galena Park, Inc.; Walbar, Inc. d/b/a Engine Components Goodrich Corporation; Waste Management of Texas, Inc., on behalf of itself, USA Waste of Texas Landfill, Inc., Cougar Landfill, Inc. and S&J Landfill Limited Partnership; Weatherford U.S., L.P., as predecessor in interest of P Chem, Inc.; Western Waste of Texas, LLC; and West Texas Drum Company.

31. According to USOR Site Records, in at least February 2006 year, Defendant A-1 Cleaning Septic Service, LLC (“A-1 Cleaning”) accepted at least 3,000 gallons of waste containing hazardous substances for transport to the USOR Site, which was selected by A-1 Cleaning.

32. The waste streams transported by A-1 Cleaning are described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: acetone, cadmium, chromium, copper, dichloroethylene, lead, methyl ethyl ketone, methylene chloride, nickel, toluene, trichloroethane, trichloroethylene and/or zinc.



33. The waste streams A-1 Cleaning transported to the USOR Site were generated by Brookwood Community and Sams Club.

34. The waste streams transported to the USOR Site by A-1 Cleaning fall within the definition of “solid waste” under the TSWDA.

35. To date, A-1 Septic has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

36. According to USOR Site Records, in at least January 2004, Defendant A-Bear Construction, Inc. (“A-Bear Construction”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 110 gallons of waste containing hazardous substances owned or possessed by A-Bear Construction, at the USOR Site.

37. The waste streams generated by A-Bear Construction are described on USOR Site Records as “2 drums” and “org [sic]” and contained some or all of the following hazardous substances: acetone, asbestos, benzo(a)anthracene, benzo(a)pyrene, cadmium, chromium, copper, cresol, dichloroethylene, fluorene, lead, methyl ethyl ketone, methylene chloride, nickel, phenanthrene, tin, toluene, trichloroethane, trichloroethylene and/or zinc.

38. On certain occasions, A-Bear Construction arranged with transporter Oil Mop, LLC to transport A-Bear Construction’s waste streams to the USOR Site.

39. The waste streams generated by A-Bear Construction fall within the definition of “solid waste” under the TSWDA.

40. By letter dated November 21, 2014, the USOR Site PRP Group notified A-Bear Construction of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or

threatened release of hazardous substances at the USOR Site, and offered A-Bear Construction the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

41. To date, A-Bear Construction has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

42. According to USOR Site Records, from at least October 2005 to February 2006, Defendant A-Vac Septic Service, L.L.C. ("A-Vac Septic") accepted for transport to the USOR Site, which was selected by A-Vac Septic, and/or by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment of waste owned or possessed by A-Vac Septic, at least 6,785 gallons of waste containing hazardous substances at the USOR Site.

43. The waste streams generated by and/or transported by A-Vac Septic are described on USOR Site Records as "grease" and contained some or all of the following hazardous substances: acetone, cadmium, chromium, copper, dichloroethylene, lead, methyl ethyl ketone, methylene chloride, nickel, toluene, trichloroethane, trichloroethylene and/or zinc.

44. On certain occasions, A-Vac Septic transported its own waste streams to the USOR Site.

45. The waste streams generated by A-Vac Septic and/or transported to the USOR Site by A-Vac Septic fall within the definition of "solid waste" under the TSWDA.

46. By letters dated December 5, 2013 and December 12, 2014, the USOR Site PRP Group notified A-Vac Septic of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered

A-Vac Septic the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

47. To date, A-Vac Septic has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

48. According to USOR Site Records, from at least April 2004 to May 2005 Defendant AAA Cooper Transportation, Inc. ("AAA Cooper") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 10,211 gallons of waste containing hazardous substances owned or possessed by, at the USOR Site.

49. The waste streams generated by AAA Cooper were RCRA hazardous waste described on USOR Site Records as "waste diesel mix w/sorbant [sic]" and "hazardous waste liquid, N.O.S. 9, NA3082, III."

50. The waste streams generated by AAA Cooper are also described on USOR Site Records as "oily drums" and "organic" and contained some or all of the following hazardous substances: acetone, cadmium, chromium, copper, dichloroethylene, lead, methyl ethyl ketone, methylene chloride, nickel, toluene, trichloroethane, trichloroethylene and/or zinc.

51. On certain occasions, AAA Cooper arranged with transporter Defendant Bealine Service Co., Inc., Envirologistics, Garner, Milstead Environmental, LLC and Defendant USA Environment, LP to transport AAA Cooper's waste streams to the USOR Site.

52. The waste streams generated by AAA Cooper fall within the definition of "solid waste" under the TSWDA.

53. By letters dated December 5, 2013 and December 19, 2014, the USOR Site PRP Group notified AAA Cooper of the existence of the release or threatened release of hazardous

substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered AAA Cooper the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

54. To date, AAA Cooper has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

55. According to USOR Site Records, in at least June 2004, Defendant AAR Inc. ("AAR") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 4,000 gallons of waste containing hazardous substances owned or possessed by AAR, at the USOR Site.

56. The waste streams generated by AAR are described on USOR Site Records as "oily water" and contained some or all of the following hazardous substances: acetone, cadmium, chromium, copper, dichloroethylene, lead, methyl ethyl ketone, methylene chloride, nickel, toluene, trichloroethane, trichloroethylene and/or zinc.

57. On certain occasions, AAR arranged with transporters A-Affordable Vacuum Services and Everready Environmental to transport AAR's waste streams to the USOR Site.

58. The waste streams generated by AAR fall within the definition of "solid waste" under the TSWDA.

59. By letters dated December 5, 2013 and December 12, 2014, the USOR Site PRP Group notified AAR of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered AAR the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

60. To date, AAR has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

61. According to USOR Site Records, in at least July 2004, Defendant ABB Inc. (“ABB”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 1,500 gallons of waste containing hazardous substances owned or possessed by ABB, at the USOR Site.

62. The waste streams generated by ABB fall within the definition of “solid waste” under the TSWDA.

63. By letter dated January 5, 2015, the USOR Site PRP Group notified ABB of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered ABB the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

64. To date, ABB has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

65. According to USOR Site Records, in at least month November 2003, Defendant Admiral Linen and Uniform Service, Inc. (“Admiral Linen”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 1,400 gallons of waste containing hazardous substances owned or possessed by Admiral Linen, at the USOR Site.

66. The waste generated by Admiral Linen is described on USOR Site Records as “lint trap” and contained some or all of the following hazardous substances: perchloroethylene, toluene, trichloroethane and/or xylenes.

67. On certain occasions, Admiral Linen arranged with transporter Earth America to transport Admiral Linen's waste streams to the USOR Site.

68. The waste streams generated by Admiral Linen fall within the definition of "solid waste" under the TSWDA.

69. By letter dated August 14, 2015, the USOR Site PRP Group notified Admiral Linen of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Admiral Linen the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

70. To date, Admiral Linen has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

71. According to USOR Site Records, from at least December 2002 through at least October 2003, Defendant Advanced Disposal Systems, Inc. ("Advanced Disposal") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 4,530 gallons of waste containing hazardous substances owned or possessed by Advanced Disposal, at the USOR Site.

72. The waste streams Advanced Disposal arranged for disposal are described on USOR Site Records as "oily water" and contained some or all of the following hazardous substances: acetone, cadmium, chromium, copper, dichloroethylene, lead, methylene chloride, methyl ethyl ketone, nickel, toluene, trichloroethane, trichloroethylene and/or zinc.

73. The waste streams Advanced Disposal arranged for disposal at the USOR Site were generated by Galveston County Transit and Galveston Island Transit.

74. The waste streams arranged for disposal at the USOR Site by Advanced Disposal fall within the definition of “solid waste” under the TSWDA.

75. By letters dated December 5, 2013 and December 12, 2014, the USOR Site PRP Group notified Advanced Disposal of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Advanced Disposal the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

76. To date, Advanced Disposal has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

77. According to USOR Site Records, in at least April 2004, Defendant The Advent Group, LLC (“Advent Group”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 55 gallons of waste containing hazardous substances owned or possessed by Advent Group, at the USOR Site.

78. The waste streams generated by Advent Group are described on USOR Site Records as “organic” and contained some or all of the following hazardous substances: acetone, cadmium, chromium, copper, dichloroethylene, lead, methyl ethyl ketone, methylene chloride, nickel, toluene, trichloroethane, trichloroethylene and/or zinc.

79. On certain occasions, Advent Group arranged with transporter Defendant Specialized Maintenance Services, Inc. to transport Advent Group’s waste streams to the USOR Site.

80. The waste streams transported to the USOR Site by Advent Group fall within the definition of “solid waste” under the TSWDA.

81. By letters dated December 5, 2013 and November 21, 2014, the USOR Site PRP Group notified Advent Group of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Advent Group the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

82. To date, Advent Group has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

83. Defendant Affordable Environmental Service LLC (“Affordable Environmental”) is the successor to and/or is also known as Affordable Environmental Solutions (“Affordable Environmental Solutions”).

84. According to USOR Site Records, from at least October 2003 to September 2005 Defendant Affordable Environmental Solutions accepted for transport to the USOR Site, which was selected by Affordable Environmental Solutions, and/or by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment of waste owned or possessed by Affordable Environmental Solutions, at least 41,443 gallons of waste containing hazardous substances at the USOR Site.

85. The waste streams generated by Affordable Environmental Solutions are described on USOR Site Records as “dril quip [sic],” “drilling mud,” “grease,” “grease trap,” “grit,” “grit trap,” “lint trap,” “oily water” and “waste water holding tank (non-hazard),” and contained some or all of the following hazardous substances: acetone, cadmium, chromium,



copper, dichloroethylene, lead, methyl ethyl ketone, methylene chloride, nickel, toluene, trichloroethane, trichloroethylene and/or zinc.

86. On certain occasions, Affordable Environmental Solutions transported its own waste streams to the USOR Site.

87. The waste streams Affordable Environmental Solutions transported to the USOR Site were generated by Defendant AAR Inc., Dril Quip and Kings Car Wash.

88. The waste streams generated by Affordable Environmental Solutions and/or transported to the USOR Site by Affordable Environmental Solutions fall within the definition of “solid waste” under the TSWDA.

89. By letter dated December 5, 2013, the USOR Site PRP Group notified Affordable Environmental of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Affordable Environmental the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

90. To date, Affordable Environmental has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

91. According to USOR Site Records, in at least February 2006, Defendant Aisha & Mariam, Inc. doing business as Marcos Market (“Aisha & Mariam”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 200 gallons of waste containing hazardous substances owned or possessed by Aisha & Mariam, at the USOR Site.

92. The waste generated by Aisha & Mariam is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

93. On certain occasions, Aisha & Mariam arranged with transporter Defendant Southern Discount Vacuum Service to transport Aisha & Mariam’s waste streams to the USOR Site.

94. The waste streams generated by Aisha & Mariam fall within the definition of “solid waste” under the TSWDA.

95. To date, Aisha & Mariam has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

96. Alternatively, Defendant Reliant Restaurants, Inc. doing business as Marco’s Mexican Bar & Grill (“Reliant Restaurants”) is responsible for the waste streams attributable to Aisha & Mariam, as alleged in paragraph nos. 91-92 above.

97. By letter dated October 2, 2015, the USOR Site PRP Group notified Reliant Restaurants of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Reliant Restaurants the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

98. To date, Reliant Restaurants has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

99. Defendant Alamo Concrete Products Co. (“Alamo Concrete”) is the successor to Dorsett Brothers Concrete Supply, Inc. (“Dorsett Concrete”).

100. In or about December 2013, Dorsett Concrete was merged with and into Alamo Concrete.

101. According to USOR Site Records, in at least January 2006, Dorsett Concrete by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 1,595 gallons of waste containing hazardous substances owned or possessed by Dorsett Concrete, at the USOR Site.

102. The waste generated by Dorsett Concrete is described on USOR Site Records as “oily rag” and contained some or all of the following hazardous substances: acetone, cadmium, chromium, copper, dichloroethylene, lead, methyl ethyl ketone, methylene chloride, nickel, toluene, trichloroethane, trichloroethylene and/or zinc.

103. On certain occasions, Dorsett Concrete arranged with transporter Defendant Flan Ex Transportation to transport Dorsett Concrete’s waste streams to the USOR Site.

104. The waste streams generated by Dorsett Concrete fall within the definition of “solid waste” under the TSWDA.

105. By letter dated October 2, 2015, the USOR Site PRP Group notified Alamo Concrete of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Alamo Concrete the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

106. To date, Alamo Concrete has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

107. According to USOR Site Records, from at least July 2004 to December 2008, Defendant Alamo Environmental, Inc. (“Alamo Environmental”) accepted for transport to the USOR Site, which was selected by Alamo Environmental, and/or by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment of waste owned or possessed by Alamo Environmental, at least 513,156 gallons of waste containing hazardous substances at the USOR Site.

108. The waste streams transported by Alamo Environmental were RCRA hazardous waste described on USOR Site Records as “aqueous waste with low other toxics (aqueous waste water)” and “waste, toxic liquid, organic, NOS (RQ, phenol, formaldehyde) 6.1, UN3287, 1.”

109. The waste streams generated by Alamo Environmental are also described on USOR Site Records as “non DOT regulated material (drilling mud),” “fuel oil,” “non DOT regulated material (oil and water emulsion) universal waste,” “non DOT regulated material (rainwater),” “oil,” “oil and water emulsion,” “oily,” “oily water,” “organic,” “other aqueous waste or wastewater (scrubber water),” “used oil,” “used oil fuel” and “used oil for recycle” and contained some or all of the following hazardous substances: acetone, cadmium, chromium, copper, dichloroethylene, lead, methyl ethyl ketone, methylene chloride, nickel, toluene, trichloroethane, trichloroethylene and/or zinc.

110. The waste streams Alamo Environmental transported to the USOR Site were generated by Alamo Petroleum, General Dynamics, General Dynamics Mfg. – Garland, Hexion Specialty Chemicals, Inc., Schlumberger Tech – Cameron and Schlumberger Technology Co.

111. The waste streams transported to the USOR Site by Alamo Environmental fall within the definition of “solid waste” under the TSWDA.

112. To date, Alamo Environmental has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

113. According to USOR Site Records, in at least February 2006, Defendant Alamo Tamale Co., L.P. (“Alamo Tamale”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 2,950 gallons of waste containing hazardous substances owned or possessed by Alamo Tamale, at the USOR Site.

114. The waste generated by Alamo Tamale is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

115. On certain occasions, Alamo Tamale arranged with transporter Defendant Public Sanitary Works, Inc. to transport Alamo Tamale’s waste streams to the USOR Site.

116. The waste streams generated by Alamo Tamale fall within the definition of “solid waste” under the TSWDA.

117. By letter dated August 14, 2015, the USOR Site PRP Group notified Alamo Tamale of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Alamo Tamale the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

118. To date, Alamo Tamale has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

119. According to USOR Site Records, from at least April 2004 to February 2006, Defendant Alcoa Inc. (“Alcoa”) by contract, agreement, or otherwise arranged for disposal or

treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 43,764 gallons of waste containing hazardous substances owned or possessed by Alcoa, at the USOR Site.

120. The waste streams generated by Alcoa are described on USOR Site Records as “60% oil,” “non DOT regulated material (oily water),” “non DOT regulated material (used oil),” “non DOT regulated material water (98%) & heat stabilizer,” “oily,” “organic” and “water with heat stabilizer” and contained some or all of the following hazardous substances: acetone, benzene, chromium, copper, dichlorobenzene, dichloroethylene, lead, manganese, methyl ethyl ketone, methylene chloride, nickel, perchloroethylene, toluene, trichloroethane, trichloroethylene, xylenes and/or zinc.

121. On certain occasions, Alcoa transported its own waste streams to the USOR Site.

122. On other occasions, Alcoa arranged with transporters Defendant Coal City Cob Co., Inc. and Defendant Eagle Construction and Environmental Services, LLC to transport Alcoa’s waste streams to the USOR Site.

123. The waste streams generated by Alcoa and/or transported to the USOR Site by Alcoa fall within the definition of “solid waste” under the TSWDA.

124. By letter dated December 5, 2013, the USOR Site PRP Group notified Alcoa of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Alcoa the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

125. To date, Alcoa has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

126. According to USOR Site Records, from at least June 2005 to June 2009, Defendant Alief Independent School District (“Alief ISD”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 2,012 gallons of waste containing hazardous substances owned or possessed by Alief ISD, at the USOR Site.

127. On certain occasions, the waste streams generated by Alief ISD were RCRA hazardous waste described on USOR Site Records as “RQ waste flammable liquids, n.o.s. 3, UN1993, PG III (cleaner & mix),” “waste flammable liquids, n.o.s. 3, UN1993, PG III (blanket wash)” and “RQ Waste Flammable liquids n.o.s. 3, UN1993, PG III.”

128. On certain occasions, the waste streams generated by Alief ISD is described on USOR Site Records as “non RCRA nonhazardous (antifreeze),” “non-RCRA non-hazardous (oil & water),” “non-hazardous non-RCRA (oil),” “non-RCRA non-hazardous (oil & absorbents),” “non-RCRA non-hazardous (developer solution),” “non-RCRA non-hazardous (stabilizer solution),” “non RCRA nonhazardous liquid (oil & antifreeze)” and “non-hazardous non-RCRA (electrostatic solution)” and contained some or all of the following hazardous substances: acetone, asbestos, benzene, benzo(a)anthracene, benzo(a)pyrene, cadmium, chromium, cobalt copper, cresol, dichlorobenzene, dichloroethylene, ethyl benzene, lead, manganese, methylene chloride, methyl ethyl ketone, molybdenum, nickel, perchloroethylene, phenanthrene, selenium, silver, tin, toluene, trichloroethane, trichloroethylene, vinyl chloride, xylenes and/or zinc.

129. On certain occasions, Alief ISD arranged with transporters Ensource Corporation, Defendant Legacee International Environmental Services, Inc., doing business as Texas Waste Carriers, Defendant Top Notch Transportation, Inc. and Defendant Specialized Maintenance Services, Inc. to transport Alief ISD’s waste streams to the USOR Site.

130. The waste streams Alief ISD generated, transported to and/or arranged for disposal at the USOR Site fall within the definition of “solid waste” under the TSWDA.

131. Alief ISD entered into a series of tolling agreements with the USOR PRP Group, which tolled all applicable statutes of limitation from August 1, 2014 through the date of this Second Amended Complaint.

132. To date, Alief ISD has refused to cooperate with the USOR Site PRP Group and has not paid its equitable share of response costs incurred by the USOR Site PRP Group at the USOR Site.

133. According to USOR Site Records, from at least October 2006 to January 2009, Defendant Alliance Pastex, LLC (“Alliance Pastex”) accepted for transport to the USOR Site, which was selected by Alliance Pastex, and/or by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 100,530 gallons of waste containing hazardous substances owned or possessed by Alliance Pastex, at the USOR Site.

134. The waste streams generated by and/or transported by Alliance Pastex are described on USOR Site Records as “EPA & DOT Non Regulated Material,” “non DOT regulated material (aqueous oilfield chemicals),” and “non hazardous aqueous oilfield chemicals” and contained some or all of the following hazardous substances: acetone, benzene, cadmium, chromium, copper, dichlorobenzene, dichloroethylene, ethyl benzene, lead, manganese, methyl ethyl ketone, methylene chloride, nickel, perchloroethylene, toluene, trichloroethane, , trichloroethylene, vinyl chloride, xylenes and/or zinc.

135. On certain occasions, Alliance Pastex transported its own waste streams to the USOR Site.



136. On other occasions, Alliance Pastex also arranged with transporters ADL Pasadena, Defendant H2O Industrial Services, LLC and U.S. Oil Recovery to transport Alliance Pastex's waste streams to the USOR Site.

137. The waste streams generated by Alliance Pastex and/or transported to the USOR Site by Alliance Pastex fall within the definition of "solid waste" under the TSWDA.

138. By letter dated December 5, 2013, the USOR Site PRP Group notified Alliance Pastex of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Alliance Pastex the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

139. To date, Alliance Pastex has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

140. According to USOR Site Records, in at least February 2006, Defendant Aloha Richmond, LLC doing business as Sam's Boat ("Aloha Richmond") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 500 gallons of waste containing hazardous substances owned or possessed by Aloha Richmond, at the USOR Site.

141. The waste generated by Aloha Richmond is described on USOR Site Records as "grease" and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

142. On certain occasions, Aloha Richmond arranged with transporter Defendant Southern Discount Vacuum Service to transport Aloha Richmond's waste streams to the USOR Site.

143. The waste streams generated by Aloha Richmond fall within the definition of “solid waste” under the TSWDA.

144. By letter dated September 18, 2015, the USOR Site PRP Group notified Aloha Richmond of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Aloha Richmond the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

145. To date, Aloha Richmond has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

146. According to USOR Site Records, from at least July 2007 to October 2007, Defendant Alpha Technical Services Corporation, LC (“Alpha Technical”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 4,091 gallons of waste containing hazardous substances owned or possessed by Alpha Technical, at the USOR Site.

147. On certain occasions, the waste streams Alpha Technical generated, transported and/or arranged for disposal were RCRA hazardous waste described on USOR Site Records as “flammable liquid n.o.s., 3, UN 1993, pipeline product PG III,” “waste corrosive liquid, acidic, inorganic, nos, flourosilic acid” and “waste corrosive liquid, acidic, inorganic nos (hydrofluoric acid) 8 un3264 I.”

148. On certain occasions, Alpha Technical transported and/or arranged for disposal of waste streams generated by either Energy Transfer or MEMC Pasadena, Inc.

149. The waste streams Alpha Technical generated, transported to and/or arranged for disposal at the USOR Site fall within the definition of “solid waste” under the TSWDA.

150. By letter dated October 30, 2015, the USOR Site PRP Group notified Alpha Technical of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Alpha Technical the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

151. To date, Alpha Technical has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

152. According to USOR Site Records, from at least February 2007 to June 2007, Defendant Alternative Waste Solutions, Inc. (“Alternative Waste”) accepted at least 24,259 gallons of waste containing hazardous substances for transport to the USOR Site, which was selected by Alternative Waste.

153. The waste streams transported by Alternative Waste are described on USOR Site Records as “asphalt tank bottoms” and “tank bottom wash water,” and contained some or all of the following hazardous substances: acetone, benzene, chromium, ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or zinc.

154. The waste streams Alternative Waste transported to the USOR Site were generated by Valero, St. James, LA and Valero Marketing.

155. The waste streams transported to the USOR Site by Alternative Waste fall within the definition of “solid waste” under the TSWDA.

156. By letters dated December 5, 2013 and December 19, 2014, the USOR Site PRP Group notified Alternative Waste of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Alternative Waste the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

157. To date, Alternative Waste has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

158. According to USOR Site Records, from at least February 2006 to March 2006, Defendant Amity Fellowserve of Katy, Inc. doing business as Katyville Healthcare Center ("Amity Fellowserve") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 600 gallons of waste containing hazardous substances owned or possessed by Amity Fellowserve, at the USOR Site.

159. The waste generated by Amity Fellowserve is described on USOR Site Records as "grease" and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

160. On certain occasions, Amity Fellowserve arranged with transporter Defendant Public Sanitary Works, Inc. to transport Amity Fellowserve's waste streams to the USOR Site.

161. The waste streams generated by Amity Fellowserve fall within the definition of "solid waste" under the TSWDA.

162. By letter dated September 25, 2015, the USOR Site PRP Group notified Amity Fellowserve of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Amity Fellowserve the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

163. To date, Amity Fellowserve has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

164. According to USOR Site Records, from at least November 2003 to March 2004, Defendant Amrep, Inc. ("Amrep") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 38,400 gallons of waste containing hazardous substances owned or possessed by Amrep, at the USOR Site.

165. The waste generated by Amrep is described on USOR Site Records as "non DOT regulated material (non hazardous water flush)," "non DOT regulated material (water with surfactant)" and "organic" and contained some or all of the following hazardous substances: acetone, cadmium, chromium, copper, lead, methyl ethyl ketone, perchloroethylene, toluene, trichloroethane, trichloroethylene, xylenes and zinc.

166. On certain occasions, Amrep arranged with transporters Defendant Coal City Cob Co., Inc. and Defendant Triad Transport, Inc. to transport Amrep's waste streams to the USOR Site.

167. The waste streams generated by Amrep fall within the definition of "solid waste" under the TSWDA.

168. By letters dated December 5, 2013 and January 25, 2016, the USOR Site PRP Group notified Amrep of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Amrep the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

169. To date, Amrep has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

170. According to USOR Site Records, from at least July 2004 to April 2005 Defendant Anderson Pollution Control, Inc. ("Anderson Pollution") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 155,300 gallons of waste containing hazardous substances owned or possessed by Anderson Pollution, at the USOR Site.

171. The waste streams arranged for disposal by Anderson Pollution were RCRA hazardous waste described on USOR Site Records as "class 1" and "non haz solids Class 1 [sic]."

172. The waste streams Anderson Pollution arranged for disposal at the USOR Site were generated by U.S. Oil Recovery.

173. The waste streams arranged for disposal at the USOR Site by Anderson Pollution fall within the definition of "solid waste" under the TSWDA.

174. By letters dated December 5, 2013 and July 23, 2015, the USOR Site PRP Group notified Anderson Pollution of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to

eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Anderson Pollution the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

175. To date, Anderson Pollution has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

176. According to USOR Site Records, in at least October 2003, Defendant Angelica Textile Services, Inc. ("Angelica Textile") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 3,000 gallons of waste containing hazardous substances owned or possessed by Angelica Textile, at the USOR Site.

177. The waste generated by Angelica Textile is described on USOR Site Records as "lint trap" and contained some or all of the following hazardous substances: perchloroethylene, toluene, trichloroethane and/or xylenes.

178. On certain occasions, Angelica Textile arranged with transporter Earth America to transport Angelica Textile's waste streams to the USOR Site.

179. The waste streams generated by Angelica Textile fall within the definition of "solid waste" under the TSWDA.

180. By letter dated August 14, 2015, the USOR Site PRP Group notified Angelica Textile of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Angelica Textile the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

181. To date, Angelica Textile has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

182. According to USOR Site Records, from at least February 2007 to March 2007, Defendant Apache Services, Inc. (“Apache Services”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 7,500 gallons of waste containing hazardous substances owned or possessed by Apache Services, at the USOR Site.

183. The waste streams generated by Apache Services are described on USOR Site Records as “water mixed with mud from sheetrock” and contained some or all of the following hazardous substances: acetone, cadmium, chromium, copper, lead, methyl ethyl ketone, methylene chloride and/or zinc.

184. On certain occasions, Apache Services arranged with transporter Defendant Phoenix Pollution Control & Environmental Services, Inc. to transport Apache Services’ waste streams to the USOR Site.

185. The waste streams generated by Apache Services fall within the definition of “solid waste” under the TSWDA.

186. By letters dated December 5, 2013 and December 12, 2014, the USOR Site PRP Group notified Apache Services of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Apache Services the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.



187. To date, Apache Services has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

188. According to USOR Site Records, in at least March 2008, Defendant Apple Auto Repair & Body Shop (“Apple Auto”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 100 gallons of waste containing hazardous substances owned or possessed by Apple Auto, at the USOR Site.

189. The waste streams generated by Apple Auto are described on USOR Site Records as “non-haz storm water clean out [sic]” and contained some or all of the following hazardous substances: acetone, chromium, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or zinc.

190. On certain occasions, Apple Auto arranged with transporter Defendant Lighthouse Environmental Services, Inc. to transport Apple Auto’s waste streams to the USOR Site.

191. The waste streams generated by Apple Auto fall within the definition of “solid waste” under the TSWDA.

192. By letters dated December 5, 2013 and November 21, 2014, the USOR Site PRP Group notified Apple Auto of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Apple Auto the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

193. To date, Apple Auto has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

194. According to USOR Site Records, from at least December 2004 to February 2009 Defendant Aqua Solutions, Inc. (“Aqua Solutions”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 321,900 gallons of waste containing hazardous substances owned or possessed by Aqua Solutions, at the USOR Site.

195. The waste streams generated by Aqua Solutions are described on USOR Site Records as “non hazardous waste liquid, non regul [sic],” “oil,” “oily water,” “organic,” and “process waste water” and contained some or all of the following hazardous substances: acetone, benzene, cadmium, dichloroethylene, lead, methyl ethyl ketone, methylene chloride, perchloroethylene, toluene, trichloroethane, trichloroethylene, vinyl chloride, xylenes and/or zinc.

196. On certain occasions, Aqua Solutions arranged with transporter Defendant Bayou City Environmental Services, LP to transport Aqua Solutions’ waste streams to the USOR Site.

197. The waste streams generated by Aqua Solutions fall within the definition of “solid waste” under the TSWDA.

198. By letters dated December 5, 2013 and April 24, 2015, the USOR Site PRP Group notified Aqua Solutions of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Aqua Solutions the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

199. To date, Aqua Solutions has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

200. According to USOR Site Records, in at least March 2006, Defendant Aramco Services Co. (“Aramco Services”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 2,000 gallons of waste containing hazardous substances owned or possessed by Aramco Services, at the USOR Site.

201. The waste generated by Aramco Services is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

202. On certain occasions, Aramco Services arranged with transporter Earth America to transport Aramco Services’ waste streams to the USOR Site.

203. The waste streams generated by Aramco Services fall within the definition of “solid waste” under the TSWDA.

204. By letter dated August 14, 2015, the USOR Site PRP Group notified Aramco Services of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Aramco Services the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

205. To date, Aramco Services has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

206. According to USOR Site Records, from at least November 2005 to October 2007, Defendant Arby's Restaurant Group, Inc. ("Arby's") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 700 gallons of waste containing hazardous substances owned or possessed by Arby's, at the USOR Site.

207. The waste generated by Arby's is described on USOR Site Records as "grease" and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

208. On certain occasions, Arby's arranged with transporters Defendant Consolidated Waste, LLC, doing business as Liquid Waste Solutions, and Defendant Southern Discount Vacuum Service to transport Arbys' waste streams to the USOR Site.

209. The waste streams generated by Arby's fall within the definition of "solid waste" under the TSWDA.

210. By letter dated August 14, 2015, the USOR Site PRP Group notified Arby's of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Arby's the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

211. To date, Arby's has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

212. Defendant Armadillo Cleaners Inc. ("Armadillo Cleaners") is the successor to Americlean Cleaners ("Americlean").

213. In or about December 2011, Americlean Cleaners was assumed by and changed its name to Armadillo Cleaners.

214. According to USOR Site Records, in at least January 2008, Americlean Cleaners by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 216 gallons of waste containing hazardous substances owned or possessed by Americlean Cleaners, at the USOR Site.

215. The waste streams generated by Americlean Cleaners are described on USOR Site Records as “non-RCRA non-hazardous (oily water)” and contained some or all of the following hazardous substances: perchloroethylene, toluene, trichloroethane and xylenes.

216. On certain occasions, Americlean Cleaners arranged with transporter Defendant Top Notch Transportation, Inc. to transport Americlean Cleaners’ waste streams to the USOR Site.

217. The waste streams generated by Americlean Cleaners fall within the definition of “solid waste” under the TSWDA.

218. By letters dated December 5, 2013 and September 18, 2015, the USOR Site PRP Group notified Americlean Cleaners and Armadillo Cleaners, respectively, of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Americlean Cleaners and Armadillo Cleaners the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

219. To date, Armadillo Cleaners has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

220. According to USOR Site Records, in at least March 2006, Defendant Atlas Texas Food & Beverages LLC doing business as DNR Turkish Grill (“Atlas Food”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 1,000 gallons of waste containing hazardous substances owned or possessed by Atlas Food, at the USOR Site.

221. The waste generated by Atlas Food is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

222. On certain occasions, Atlas Food arranged with transporter Defendant Consolidated Waste, LLC, doing business as Liquid Waste Solutions, to transport Atlas Food’s waste streams to the USOR Site.

223. The waste streams generated by Atlas Food fall within the definition of “solid waste” under the TSWDA.

224. By letter dated December 14, 2015, the USOR Site PRP Group notified Atlas Food of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Atlas Food the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

225. To date, Atlas Food has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

226. According to USOR Site Records, in at least March 2006, Defendant Aunt Bea’s Restaurant (“Aunt Beas”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 500

gallons of waste containing hazardous substances owned or possessed by Aunt Beas, at the USOR Site.

227. The waste generated by Aunt Beas is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

228. On certain occasions, Aunt Beas arranged with transporters Defendant Consolidated Waste, LLC, doing business as Liquid Waste Solutions, and Defendant Public Sanitary Works, Inc. to transport Aunt Beas’ waste streams to the USOR Site.

229. The waste streams generated by Aunt Beas fall within the definition of “solid waste” under the TSWDA.

230. By letter dated August 14, 2015, the USOR Site PRP Group notified Aunt Beas of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Aunt Beas the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

231. To date, Aunt Beas has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

232. According to USOR Site Records, in at least February 2006, Defendant Autobuses Ejecutivos L.L.C. (“Autobuses Ejecutivos”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 800 gallons of waste containing hazardous substances owned or possessed by Autobuses Ejecutivos, at the USOR Site.

233. The waste generated by Autobuses Ejecutivos is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

234. On certain occasions, Autobuses Ejecutivos arranged with transporter Defendant Public Sanitary Works, Inc. to transport Autobuses Ejecutivos’ waste streams to the USOR Site.

235. The waste streams generated by Autobuses Ejecutivos fall within the definition of “solid waste” under the TSWDA.

236. By letter dated October 30, 2015, the USOR Site PRP Group notified Autobuses Ejecutivos of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Autobuses Ejecutivos the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

237. To date, Autobuses Ejecutivos has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

238. According to USOR Site Records, from at least December 2003 to at least July 2007, Defendant Axys Industrial Solutions, Inc. (“Axys”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 2,863,728 gallons of waste containing hazardous substances owned or possessed by Axys, at the USOR Site.

239. The waste streams transported by Axys were RCRA hazardous waste described on USOR Site Records as “RQ, Waste, Flammable liquid, N.O.S., 3, UN 1993, PGII (Isopropanol, Aramatic Naptha) [sic].”



240. The waste streams Axys arranged for disposal are also described on USOR Site Records as: “boiler water,” “non regulated non hazardous plant waste water,” “oily,” “oily water” and “organic” and contained some or all of the following hazardous substances: acetone, benzene, chromium, ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or zinc.

241. The waste streams Axys arranged for disposal at the USOR Site were generated by Champion Technologies, KMCO, Massey Industries and Safe Fuels.

242. The waste streams arranged for disposal at the USOR Site by Axys fall within the definition of “solid waste” under the TSWDA.

243. By letters dated June 4, 2014 and October 13, 2015, the USOR Site PRP Group notified Axys of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Axys the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

244. To date, Axys has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

245. According to USOR Site Records, from at least November 2005 to March 2006, Defendant B&B Corner Corporation doing business as Hong Kong Super Market (“B&B Corner”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 17,640 gallons of waste containing hazardous substances owned or possessed by B&B Corner, at the USOR Site.

246. The waste generated by B&B Corner is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

247. On certain occasions, B&B Corner arranged with transporters A-Affordable Vacuum, Defendant Public Sanitary Works, Inc. and Unique Sanitation to transport B&B Corner’s waste streams to the USOR Site.

248. The waste streams generated by B&B Corner fall within the definition of “solid waste” under the TSWDA.

249. By letter dated August 25, 2015, the USOR Site PRP Group notified B&B Corner of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered B&B Corner the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

250. To date, B&B Corner has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

251. According to USOR Site Records, in at least November 2005, Defendant BB Star East, Inc. doing business as East Star Chinese Buffet and Sushi Bar (“BB Star East”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 500 gallons of waste containing hazardous substances owned or possessed by BB Star East, at the USOR Site.

252. The waste generated by BB Star East is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

253. On certain occasions, BB Star East arranged with transporter Defendant Southern Discount Vacuum Service to transport BB Star East's waste streams to the USOR Site.

254. The waste streams generated by BB Star East fall within the definition of "solid waste" under the TSWDA.

255. By letter dated August 25, 2015, the USOR Site PRP Group notified BB Star East of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered BB Star East the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

256. To date, BB Star East has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

257. According to USOR Site Records, in at least February 2006, Defendant BJ's Restaurants, Inc. doing business as BJ's Brewhouse Inc. ("BJ's Restaurants") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 6,000 gallons of waste containing hazardous substances owned or possessed by BJ's Restaurants, at the USOR Site.

258. The waste generated by BJ's Restaurants is described on USOR Site Records as "grease" and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

259. On certain occasions, BJ's Restaurants arranged with transporter Earth America to transport BJ's Restaurants' waste streams to the USOR Site.

260. The waste streams generated by BJ's Restaurants fall within the definition of "solid waste" under the TSWDA.

261. By letter dated August 14, 2015, the USOR Site PRP Group notified BJ's Restaurants of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered BJ's Restaurants the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

262. To date, BJ's Restaurants has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

263. According to USOR Site Records, in at least November 2005, Defendant BNC Ventures, Inc. doing business as Barry's Pizza ("BNC Ventures") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 3,300 gallons of waste containing hazardous substances owned or possessed by BNC Ventures, at the USOR Site.

264. The waste generated by BNC Ventures is described on USOR Site Records as "grease" and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

265. On certain occasions, BNC Ventures arranged with transporter Unique Sanitation to transport BNC Ventures' waste streams to the USOR Site.

266. The waste streams generated by BNC Ventures fall within the definition of "solid waste" under the TSWDA.

267. By letter dated August 14, 2015, the USOR Site PRP Group notified BNC Ventures of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or

threatened release of hazardous substances at the USOR Site; and offered BNC Ventures the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

268. To date, BNC Ventures has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

269. According to USOR Site Records, from at least April 2005 to May 2005, Defendant BSMP Inc. ("BSMP") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 78,730 gallons of waste containing hazardous substances owned or possessed by BSMP, at the USOR Site.

270. The waste streams generated by BSMP are described on USOR Site Records as "oil," "oily," "oily dirt" and "oily water" and contained some or all of the following hazardous substances: acetone, benzene, chromium, ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or zinc.

271. On certain occasions, BSMP arranged with transporters Garner Environmental, Defendant Bealine Service Co., Inc., Milstead Environmental and Defendant Regio Vacuum Service, Inc. to transport BSMP's waste streams to the USOR Site.

272. The waste streams generated by BSMP fall within the definition of "solid waste" under the TSWDA.

273. By letter dated December 19, 2014, the USOR Site PRP Group notified BSMP of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered BSMP the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

274. To date, BSMP has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

275. According to USOR Site Records, from at least November 2005 to March 2006, Defendant B.W. Associates Inc. doing business as Palm Restaurant (“BW Associates”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 4,000 gallons of waste containing hazardous substances owned or possessed by BW Associates, at the USOR Site.

276. The waste generated by BW Associates is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

277. On certain occasions, BW Associates arranged with transporter Defendant Consolidated Waste, LLC, doing business as Liquid Waste Solutions, to transport BW Associates’ waste streams to the USOR Site.

278. The waste streams generated by BW Associates fall within the definition of “solid waste” under the TSWDA.

279. By letter dated September 4, 2015, the USOR Site PRP Group notified BW Associates of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered BW Associates the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

280. To date, BW Associates has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

281. According to USOR Site Records, from at least February 2006 to March 2006, Defendant Baba Yega Restaurant Corp. (“Baba Yega”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 810 gallons of waste containing hazardous substances owned or possessed by Baba Yega, at the USOR Site.

282. The waste generated by Baba Yega is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

283. On certain occasions, Baba Yega arranged with transporter Defendant Public Sanitary Works, Inc. to transport Baba Yega’s waste streams to the USOR Site.

284. The waste streams generated by Baba Yega fall within the definition of “solid waste” under the TSWDA.

285. By letter dated August 14, 2015, the USOR Site PRP Group notified Baba Yega of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Baba Yega the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

286. To date, Baba Yega has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

287. According to USOR Site Records, in at least November 2005, Defendant The Bake Shoppe & Café (“Bake Shoppe”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at

least 840 gallons of waste containing hazardous substances owned or possessed by Bake Shoppe, at the USOR Site.

288. The waste generated by Bake Shoppe is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

289. On certain occasions, Bake Shoppe arranged with transporter Unique Sanitation to transport Bake Shoppe’s waste streams to the USOR Site.

290. The waste streams generated by Bake Shoppe fall within the definition of “solid waste” under the TSWDA.

291. By letter dated August 14, 2015, the USOR Site PRP Group notified Bake Shoppe of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Bake Shoppe the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

292. To date, Bake Shoppe has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

293. Defendant Basic Energy Services, LP (“Basic Energy Services”) is the successor to PWI, Inc. (“PWI”).

294. Upon information and belief, Basic Energy Services acquired PWI in or about 2003 and continued the uninterrupted business activities of PWI at the same location and retained certain employees and corporate personnel of PWI.

295. According to USOR Site Records, from at least August 2006 to September 2006, PWI by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged



with a transporter for transport for disposal or treatment, at least 84,482 gallons of waste containing hazardous substances owned or possessed by PWI, at the USOR Site.

296. The waste streams generated by PWI are described on USOR Site Records as “gas w/water and solid (uwts)” and contained some or all of the following hazardous substances: acetone, benzene, chromium, ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or zinc.

297. The waste streams generated by PWI fall within the definition of “solid waste” under the TSWDA.

298. By letter dated December 5, 2013, the USOR Site PRP Group notified PWI of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered PWI the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

299. To date, Basic Energy Services has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

300. Alternatively, Defendant Parker Windham, Ltd. (“Parker Windham”) is the successor to and/or is also known as PWI and is responsible for the waste streams attributable to PWI, as alleged in paragraph nos. 295-296 above.

301. According to Texas Secretary of State records, Parker Windham did business as PWI from at least 2001 to 2011.

302. To date, Parker Windham has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

303. According to USOR Site Records, from at least April 2004 to July 2008, Defendant Bayou City Environmental Services, LP, doing business as USA Waste Transportation Services (“Bayou City Environmental”) accepted for transport to the USOR Site, which was selected by Bayou City Environmental, and/or by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment of waste owned or possessed by Bayou City Environmental, at least 6,129,442 gallons of waste containing hazardous substances at the USOR Site.

304. The waste streams Bayou City Environmental transported and/or arranged for disposal were RCRA hazardous waste described on USOR Site Records as including but not limited to “waste flammable liquid, n.o.s., 3, UN1993, PG II (isopropanol [sic], aromatic naphtha), (D001)” and “non regulated by DOT. Contains no. 49 CFR 172.101 materials or hazardous substances in reportable quantities. (motor oil recycling).”

305. The waste streams Bayou City Environmental transported and/or arranged for disposal are also described on USOR Site Records as including but not limited to “non hazardous wastewater,” “non hazardous/non regulated liquids” “other aqueous waste or wastewater (scrubber water),” “storm water,” “non hazardous spent caustic wash water,” and “oily water” and contained some or all of the following hazardous substances: acetone, benzene, chromium, ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or zinc.

306. On certain occasions, Bayou City Environmental transported its own waste streams to the USOR Site.

307. On other occasions, the waste Bayou City Environmental transported to or arranged for disposal at the USOR Site was generated by including but not limited to Aqua

Solutions, Brazos Valley Energy, CFF Recycling, Champion, Chevron Phillips, Delta Chemical, Dynergy, Harcos Chemicals, Rescar, Riviana and Smurfitt Stone.

308. The waste streams Bayou City Environmental transported and/or arranged for disposal fall within the definition of “solid waste” under the TSWDA.

309. By letter dated June 4, 2014, the USOR Site PRP Group notified Bayou City Environmental of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Bayou City Environmental the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

310. To date, Bayou City Environmental has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

311. According to USOR Site Records, in at least September 2005, Defendant Bayport Chemical Service, Inc. (“Bayport Chemical”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 5,973 gallons of waste containing hazardous substances owned or possessed by Bayport Chemical, at the USOR Site.

312. The waste generated by Bayport Chemical is described on USOR Site Records as “organic” and contained some or all of the following hazardous substances: acetone, benzene, chromium, ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or zinc.

313. On certain occasions, Bayport Chemical arranged with transporter Tex to transport Bayport Chemical's waste streams to the USOR Site.

314. The waste streams generated by Bayport Chemical fall within the definition of "solid waste" under the TSWDA.

315. By letter dated August 25, 2015, the USOR Site PRP Group notified Bayport Chemical of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Bayport Chemical the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

316. To date, Bayport Chemical has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

317. According to USOR Site Records, from at least December 2003 to November 2008, Defendant Baytown Energy Center LLC ("Baytown Energy") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 182,038 gallons of waste containing hazardous substances owned or possessed by Baytown Energy, at the USOR Site.

318. The waste streams generated by Baytown Energy are described on USOR Site Records as "non-RCRA/non DOT regulated sludge (sand and silt)," "non-RCRA/non DOT regulated resin waste," "non hazardous waste water," "oily water," "organic" and "turbine compressor water" and contained some or all of the following hazardous substances: acetone, copper, lead, methyl ethyl ketone, toluene, trichloroethane and/or xylene.

319. Baytown Energy arranged with transporters Defendant Eagle Construction and Environmental Services, LLC, CES Environmental Services, Inc. and US Oil Recovery, LP to transport Baytown Energy's waste streams to the USOR Site.

320. The waste streams generated by Baytown Energy fall within the definition of "solid waste" under the TSWDA.

321. To date, Baytown Energy has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

322. According to USOR Site Records, from at least March 2004 to July 2004, Defendant Bealine Service Co., Inc. ("Bealine") accepted at least 5,544,492 gallons of waste containing hazardous substances for transport to the USOR Site, which was selected by Bealine.

323. The waste streams transported by Bealine were RCRA hazardous waste described on USOR Site Records as including but not limited to "waste corrosive liquid, basic, inorganic, 8 UN3266 PG III" and "waste hazardous liquid, reactive, n.o.s., contains (diesulfides [sic], t-butyl mercaptans) 9, UN3082, III."

324. The waste streams transported by Bealine were also described on USOR Site Records as "very dilute aqueous waste containing more than 99 percent water (fire and storm water)," "non-hazardous non-RCRA waste water," "non hazardous non regulated oily debris," "non hazardous, non regulated material (wastewater, class I)" and contained some or all of the following hazardous substances: acetone, benzene, chromium, ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or zinc.

325. The waste streams Bealine transported to the USOR Site were generated by All Chem Services, Inc., Global Octane Corporation, Grant Prideco, KMCO, West Texas Drum II Baytown Facility, among others.

326. The waste streams transported to the USOR Site by Bealine fall within the definition of “solid waste” under the TSWDA.

327. To date, Bealine has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

328. Alternatively, Defendant 9717 Chemical Road, Inc. (“9717 Chemical”) is the successor to and/or is formerly known as Bealine Service Co., Inc., and is responsible for the waste streams attributable to Bealine, as alleged in paragraph nos. 322-324 above.

329. In or about May 2011, Bealine changed its name to 9717 Chemical. 9717 Chemical has continued the uninterrupted business activities of Bealine at the same location and retained certain employees and corporate personnel of Bealine.

330. To date, 9717 Chemical has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

331. According to USOR Site Records, from at least August 2004 to March 2008, Defendant Beauty Elite Group, Inc. (“Beauty Elite”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 114,155 gallons of waste containing hazardous substances owned or possessed by Beauty Elite, at the USOR Site.

332. The waste streams transported by Beauty Elite are described on USOR Site Records as “organic,” “oily” “aqueous waste with low other toxics (aqueous waste water)” and “wastewater” and contained some or all of the following hazardous substances: acetone, benzene, chromium, ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or zinc.

333. On certain occasions, Beauty Elite arranged with transporters Defendant El Regio Vacuum Service, HET Environmental, Liquid Express, TWM, and U.S. Oil Recovery to transport Beauty Elite's waste streams to the USOR Site.

334. The waste streams Beauty Elite arranged for disposal fall within the definition of "solid waste" under the TSWDA.

335. By letters dated December 5, 2013 and April 24, 2015, the USOR Site PRP Group notified Beauty Elite of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Beauty Elite the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

336. To date, Beauty Elite has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

337. According to USOR Site Records, in at least January 2005, Defendant Ben Taub Hospital ("Ben Taub Hospital") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 2,100 gallons of waste containing hazardous substances owned or possessed by Ben Taub, at the USOR Site.

338. The waste streams generated by Beauty Elite are described on USOR Site Records as "organic" and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, methyl ethyl ketone, nickel, methylene chloride, trichloroethane, trichloroethylene and/or zinc.

339. Ben Taub Hospital arranged with transporter USA Industrial to transport Ben Taub Hospital's waste streams to the USOR Site.

340. The waste streams generated by Ben Taub Hospital fall within the definition of “solid waste” under the TSWDA.

341. To date, Ben Taub Hospital has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

342. Alternatively, Defendant Harris County Hospital District d/b/a Harris Health System (“Harris Health System”) is responsible for the waste streams attributable to Ben Taub Hospital, as alleged in paragraph nos. 337-338 above.

343. To date, Harris Health System has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

344. According to USOR Site Records, from at least December 2007 to December 2008, Defendant Berg Environmental Services, Inc. (“Berg Environmental”) accepted for transport to the USOR Site, which was selected by Berg Environmental, and/or by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment of waste owned or possessed by Berg Environmental, at least 392,000 gallons of waste containing hazardous substances at the USOR Site.

345. The waste streams Berg Environmental generated, transported and/or arranged for disposal are described on USOR Site Records as “non regulated material” “non regulated waste water” and contained some or all of the following hazardous substances: chromium, copper, lead, manganese, methyl ethyl ketone, nickel, perchloroethylene, toluene, trichloroethane, trichloroethylene and/or xylenes.

346. On certain occasions, Berg Environmental transported its own waste streams to the USOR Site.



347. On other occasions, the waste streams Berg Environmental transported to or arranged for disposal at the USOR Site were generated by Lonestar Fasteners and Taylor Press.

348. The waste streams Berg Environmental generated, transported and/or arranged for disposal fall within the definition of “solid waste” under the TSWDA.

349. By letters dated June 4, 2014 and May 27, 2015, the USOR Site PRP Group notified Berg Environmental of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Berg Environmental the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

350. To date, Berg Environmental has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

351. According to USOR Site Records, from at least November 2005 to February 2006, Defendant Beso, LLC (“Beso”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 3,000 gallons of waste containing hazardous substances owned or possessed by Beso, at the USOR Site.

352. The waste generated by Beso is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

353. On certain occasions, Beso arranged with transporter Defendant Consolidated Waste, LLC, doing business as Liquid Waste Solutions, to transport Beso's waste streams to the USOR Site.

354. The waste streams generated by Beso fall within the definition of "solid waste" under the TSWDA.

355. By letter dated September 4, 2015, the USOR Site PRP Group notified Beso of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Beso the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

356. To date, Beso has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

357. According to USOR Site Records, October 2003 to November 2003, Defendant Betos Hydro and Sanitation, also known as Blackhawk Co. ("Betos Hydro"), accepted for transport to the USOR Site, which was selected by Betos Hydro, and/or by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment of waste owned or possessed by Betos Hydro, at least 35,725 gallons of waste containing hazardous substances at the USOR Site.

358. The waste streams Betos Hydro transported and/or arranged for disposal are described on USOR Site Records as "non regulated material" "non regulated waste water" and contained some or all of the following hazardous substances: acetone, benzene, chromium, ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or zinc.

359. On certain occasions, Betos Hydro transported its own waste streams to the USOR Site.

360. The waste streams Betos Hydro transported and or arranged for disposal fall within the definition of “solid waste” under the TSWDA.

361. By letters dated December 5, 2013 and February 27, 2015, the USOR Site PRP Group notified Betos Hydro of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Betos Hydro the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

362. To date, Betos Hydro has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

363. According to USOR Site Records, in at least October 2004, Defendant Bico Drilling Tools, Inc. (“Bico Drilling”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 3,000 gallons of waste containing hazardous substances owned or possessed by Bico Drilling, at the USOR Site.

364. The waste streams generated by Bico Drilling are described on USOR Site Records as “non hazardous non regulated oily mud and water” and contained some or all of the following hazardous substances: acetone, benzene, chromium, ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or xylenes.

365. Bico Drilling arranged with transporter Evergreen to transport Bico Drilling’s waste streams to the USOR Site.

366. The waste streams generated by Bico Drilling fall within the definition of “solid waste” under the TSWDA.

367. By letters dated December 5, 2013 and December 12, 2014, the USOR Site PRP Group notified Bico Drilling of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Bico Drilling the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

368. To date, Bico Drilling has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

369. According to USOR Site Records, in at least November 2005, Defendant Big Daddy’s BBQ (“Big Daddy’s BBQ”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 800 gallons of waste containing hazardous substances owned or possessed by Big Daddy’s BBQ, at the USOR Site.

370. The waste generated by Big Daddy’s BBQ is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

371. On certain occasions, Big Daddy’s BBQ arranged with transporter Defendant Southern Discount Vacuum Service to transport Big Daddy’s BBQ’s waste streams to the USOR Site.

372. The waste streams generated by Big Daddy’s BBQ fall within the definition of “solid waste” under the TSWDA.

373. By letter dated August 14, 2015, the USOR Site PRP Group notified Big Daddy's BBQ of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Big Daddy's BBQ the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

374. To date, Big Daddy's BBQ has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

375. According to USOR Site Records, in at least March 2006, Defendant Billy's Donuts ("Billy's Donuts") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 1,000 gallons of waste containing hazardous substances owned or possessed by Billy's Donuts, at the USOR Site.

376. The waste generated by Billy's Donuts is described on USOR Site Records as "grease" and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

377. On certain occasions, Billy's Donuts arranged with transporter Defendant Public Sanitary Works, Inc. to transport Billy's Donuts' waste streams to the USOR Site.

378. The waste streams generated by Billy's Donuts fall within the definition of "solid waste" under the TSWDA.

379. By letter dated September 4, 2015, the USOR Site PRP Group notified Billy's Donuts of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or

threatened release of hazardous substances at the USOR Site; and offered Billy's Donuts the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

380. To date, Billy's Donuts has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

381. According to USOR Site Records, in at least February 2006, Defendant Black Labrador Pub, Inc. doing business as Black Labrador Pub ("Black Labrador") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 1,975 gallons of waste containing hazardous substances owned or possessed by Black Labrador, at the USOR Site.

382. The waste generated by Black Labrador is described on USOR Site Records as "grease" and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

383. On certain occasions, Black Labrador arranged with transporter A-Affordable Vacuum to transport Black Labrador's waste streams to the USOR Site.

384. The waste streams generated by Black Labrador fall within the definition of "solid waste" under the TSWDA.

385. By letter dated August 14, 2015, the USOR Site PRP Group notified Black Labrador of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Black Labrador the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

386. To date, Black Labrador has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

387. Defendant Blast Environmental & Industrial Services Inc. (“Blast Environmental”) is the successor to, is also known as, and/or is formerly known as Blast Industrial Cleaning Services, Inc. (“Blast Industrial”).

388. Upon information and belief, Blast Environmental has continued the uninterrupted business activities of Blast Industrial at the same location and retained certain employees and corporate personnel of Blast Industrial.

389. According to USOR Site Records, from at least September 2004 to October 2004, Blast Industrial by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 10,500 gallons of waste containing hazardous substances owned or possessed by Blast Industrial, at the USOR Site.

390. The waste streams generated by Bico Drilling are described on USOR Site Records as “non hazardous other inorganics liquids” and contained some or all of the following hazardous substances: acetone, benzene, chromium, ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or xylenes.

391. Blast Industrial arranged with transporter Defendant HET Environmental to transport Blast Industrial’s waste streams to the USOR Site.

392. The waste streams generated by Blast Industrial fall within the definition of “solid waste” under the TSWDA.

393. By letters dated December 5, 2013 and December 19, 2014, the USOR Site PRP Group notified Blast Industrial and Blast Environmental, respectively, of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous

substances at the USOR Site; and offered Blast Environmental the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

394. To date, Blast Environmental has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

395. Defendant Bludworth Marine, L.L.C. ("Bludworth Marine") owns and operates Houston International Ship & Vessel Repairs ("International Ship Repair").

396. According to USOR Site Records, from at least January 2004 to December 2004, International Ship Repair by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 10,547 gallons of waste containing hazardous substances owned or possessed by International Ship Repair, at the USOR Site.

397. The waste streams generated by International Ship Repair are described on USOR Site Records as "oily water" and contained some or all of the following hazardous substances: acetone, benzene, chromium, ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or zinc.

398. On certain occasions, International Ship Repair arranged with Defendant Pelican Waste Services, Inc. to transport International Ship Repair's waste streams to the USOR Site.

399. The waste streams generated by International Ship Repair fall within the definition of "solid waste" under the TSWDA.

400. By letter dated September 18, 2015, the USOR Site PRP Group notified Bludworth Marine of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the



release or threatened release of hazardous substances at the USOR Site; and offered Bludworth Marine the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

401. To date, Bludworth Marine has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

402. Alternatively, Defendant International Ship Repair & Marine Services, Inc. ("International Marine") is responsible for the waste streams attributable to Bludworth Marine, as alleged in paragraph nos. 396-397 above.

403. To date, International Marine has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

404. According to USOR Site Records, in at least November 2005, Defendant Blue Marlin Laser Wash, LLC ("Blue Marlin"), by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 2,145 gallons of waste containing hazardous substances owned or possessed by Blue Marlin Construction, at the USOR Site.

405. Blue Marlin arranged with transporter Texas Waste Services to transport Blue Marlin's waste streams to the USOR Site.

406. The waste streams generated by Blue Marlin fall within the definition of "solid waste" under the TSWDA.

407. By letter dated September 18, 2015, the USOR Site PRP Group notified Blue Marlin of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or

threatened release of hazardous substances at the USOR Site; and offered Blue Marlin the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

408. To date, Blue Marlin has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

409. According to USOR Site Records, in at least June 2005, Defendant The Boat Shed ("Boat Shed") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 32,880 gallons of waste containing hazardous substances owned or possessed by Boat Shed, at the USOR Site.

410. The waste generated by Boat Shed is described on USOR Site Records as "organic" and contained some or all of the following hazardous substances: acetone, benzene, chromium, ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or zinc.

411. On certain occasions, Boat Shed arranged with transporter Gulf Coast Vacuum to transport Boat Shed's waste streams to the USOR Site.

412. The waste streams generated by Boat Shed fall within the definition of "solid waste" under the TSWDA.

413. By letter dated August 25, 2015, the USOR Site PRP Group notified Boat Shed of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Boat Shed the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

414. To date, Boat Shed has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

415. According to USOR Site Records, in at least December 2007, Defendant Boaters' Resale Shop of Texas ("Boaters' Resale Shop") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 55 gallons of waste containing hazardous substances owned or possessed by Boaters' Resale Shop, at the USOR Site.

416. The waste streams generated by Boaters' Resale Shop are described on USOR Site Records as "bilge water & diesel" and "bilge and absorbants" and contained some or all of the following hazardous substances: acetone, benzene, chromium, ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or xylenes.

417. Boaters' Resale Shop arranged with transporter Defendant Legacee International Environmental Services, Inc. doing business as Texas Waste Carriers to transport Blue Marlin's waste streams to the USOR Site.

418. The waste streams generated by Boaters' Resale Shop fall within the definition of "solid waste" under the TSWDA.

419. By letters dated December 5, 2013 and November 21, 2014, the USOR Site PRP Group notified Boaters' Resale Shop of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Boaters' Resale Shop the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

420. To date, Boaters' Resale Shop has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

421. According to USOR Site Records, from at least March 2005 to March 2006, Defendant Bolivar Barge Cleaning Service, LLC (“Bolivar Barge”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 194,209 gallons of waste containing hazardous substances owned or possessed by Bolivar Barge, at the USOR Site.

422. The waste streams generated by Bolivar Barge are described on USOR Site Records as “non-hazardous / non-regulated waste water,” “oily water,” “oily” and “organic” and contained some or all of the following hazardous substances: acetone, benzene, chromium, ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or xylenes.

423. On certain occasions, Bolivar Barge arranged with transporters Houston Marine Services and Defendant K-3 Resources, L.P. to transport Bolivar Barge’s waste streams to the USOR Site.

424. The waste streams generated by Bolivar Barge fall within the definition of “solid waste” under the TSWDA.

425. By letters dated February 7, 2014 and April 24, 2015, the USOR Site PRP Group notified Bolivar Barge of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Bolivar Barge the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

426. To date, Bolivar Barge has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

427. According to USOR Site Records, from at least February 2006 to March 2006, Defendant Bombay Sweets & Vegetarian Restaurant (“Bombay Sweets”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 700 gallons of waste containing hazardous substances owned or possessed by Bombay Sweets, at the USOR Site.

428. The waste generated by Bombay Sweets is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

429. On certain occasions, Bombay Sweets arranged with transporter Defendant Public Sanitary Works, Inc. to transport Bombay Sweets’ waste streams to the USOR Site.

430. The waste streams generated by Bombay Sweets fall within the definition of “solid waste” under the TSWDA.

431. By letter dated August 14, 2015, the USOR Site PRP Group notified Bombay Sweets of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Bombay Sweets the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

432. To date, Bombay Sweets has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

433. According to USOR Site Records, from at least January 2005 to March 2005, Defendant Boxer Property Management Corp. (“Boxer Property”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for

disposal or treatment, at least 260 gallons of waste containing hazardous substances owned or possessed by Boxer Property, at the USOR Site.

434. The waste streams generated by Boxer Property are described on USOR Site Records as “oily water” and contained some or all of the following hazardous substances: acetone, asbestos, benzo(a)anthracene, benzo(a)pyrene, cadmium, chromium, copper, cresol, dichloroethylene, fluorene, lead, methyl ethyl ketone, methylene chloride, nickel, phenanthrene, tin, toluene, trichloroethane, trichloroethylene and/or zinc.

435. On certain occasions, Boxer Property arranged with transporter Defendant Specialized Maintenance Services, Inc. to transport Boxer Property’s waste streams to the USOR Site.

436. The waste streams generated by Boxer Property fall within the definition of “solid waste” under the TSWDA.

437. By letters dated December 5, 2013 and November 21, 2014, the USOR Site PRP Group notified Boxer Property of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Boxer Property the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

438. To date, Boxer Property has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

439. According to USOR Site Records, from at least February 2004 to October 2004, Defendant Bredero Price Co. (“Bredero Price”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at

least 373,300 gallons of waste containing hazardous substances owned or possessed by Bredero Price, at the USOR Site.

440. The waste streams generated by Bredero Price are described on USOR Site Records as “non hazardous, non regulated waste water FB #2 PH 3% [sic]” and “non hazardous, non regulated waste water PH 5% [illegible] FB #1 [sic]” and contained some or all of the following hazardous substances: acetone, benzene, chromium, copper, dichlorobenzene, dichloroethylene, lead, methyl ethyl ketone, methylene chloride, toluene, trichloroethane, trichloroethylene, xylenes and/or zinc.

441. On certain occasions, Bredero Price arranged with transporters Defendant Firebird Bulk Carriers, Inc., Defendant Gator Environmental & Rentals, Inc. and TEX Environmental Express to transport Bredero Price’s waste streams to the USOR Site.

442. The waste streams generated by Bredero Price fall within the definition of “solid waste” under the TSWDA.

443. By letters dated February 7, 2014 and December 15, 2015, the USOR Site PRP Group notified Bredero Price of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Bredero Price the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

444. To date, Bredero Price has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

445. According to USOR Site Records, in at least February 2006, Defendant Brazoria County Mosquito District (“Brazoria County Mosquito District”) by contract, agreement, or

otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 500 gallons of waste containing hazardous substances owned or possessed by Brazoria County Mosquito District, at the USOR Site.

446. The waste streams generated by Brazoria County Mosquito District are described on USOR Site Records as “grit” and contained some or all of the following hazardous substances: acetone, benzene, cadmium, dichloroethylene, lead, methyl ethyl ketone, methylene chloride, perchloroethylene, toluene, trichloroethane, trichloroethylene, vinyl chloride, xylenes and/or zinc.

447. On certain occasions, Brazoria County Mosquito District arranged with transporter Gulf Coast to transport Brazoria County Mosquito District’s waste streams to the USOR Site.

448. The waste streams generated by Brazoria County Mosquito District fall within the definition of “solid waste” under the TSWDA.

449. By letters dated December 5, 2013 and January 22, 2015, the USOR Site PRP Group notified Brazoria County Mosquito District of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Brazoria County Mosquito District the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

450. To date, Brazoria County Mosquito District has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.



451. According to USOR Site Records, in at least December 2004, Defendant Brazos Valley Energy LLC (“Brazos Valley Energy”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 30,640 gallons of waste containing hazardous substances owned or possessed by Brazos Valley Energy, at the USOR Site.

452. The waste streams generated by Brazos Valley Energy are described on USOR Site Records as “organic” and contained some or all of the following hazardous substances: acetone, copper, lead, methyl ethyl ketone, toluene, trichloroethane and/or xylenes.

453. On certain occasions, Brazos Valley Energy arranged with transporter Defendant Bayou City Environmental Services, LP to transport Brazos Valley Energy’s waste streams to the USOR Site.

454. The waste streams generated by Brazos Valley Energy fall within the definition of “solid waste” under the TSWDA.

455. By letters dated December 5, 2013 and February 27, 2015, the USOR Site PRP Group notified Brazos Valley Energy of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Brazos Valley Energy the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

456. To date, Brazos Valley Energy has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

457. According to USOR Site Records, from at least October 2005 to December 2005, Defendant The Breakfast Klub, Inc. (“Breakfast Klub”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 60 gallons of waste containing hazardous substances owned or possessed by Breakfast Klub, at the USOR Site.

458. The waste generated by Breakfast Klub is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

459. On certain occasions, Breakfast Klub arranged with transporter Defendant Consolidated Waste, LLC, doing business as Liquid Waste Solutions, to transport Breakfast Klub’s waste streams to the USOR Site.

460. The waste streams generated by Breakfast Klub fall within the definition of “solid waste” under the TSWDA.

461. By letter dated August 14, 2015, the USOR Site PRP Group notified Breakfast Klub of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Breakfast Klub the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

462. To date, Breakfast Klub has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

463. According to USOR Site Records, from at least November 2005 to March 2006, Defendant Brennan’s of Houston, Inc. (“Brennan's of Houston”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for

disposal or treatment, at least 7,500 gallons of waste containing hazardous substances owned or possessed by Brennan's of Houston, at the USOR Site.

464. The waste generated by Brennan's of Houston is described on USOR Site Records as "grease" and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

465. On certain occasions, Brennan's of Houston arranged with transporter Defendant Public Sanitary Works, Inc. to transport Brennan's of Houston's waste streams to the USOR Site.

466. The waste streams generated by Brennan's of Houston fall within the definition of "solid waste" under the TSWDA.

467. By letter dated August 14, 2015, the USOR Site PRP Group notified Brennan's of Houston of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Brennan's of Houston the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

468. To date, Brennan's of Houston has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

469. Defendant Brinker International, Inc. ("Brinker") is the owner, operator and/or franchisor of the Chili's Grill & Bar Restaurants ("Chili's").

470. According to USOR Site Records, from at least November 2005 to October 2007, Chili's by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged

with a transporter for transport for disposal or treatment, at least 16,000 gallons of waste containing hazardous substances owned or possessed by Chili's, at the USOR Site.

471. The waste generated by Chili's is described on USOR Site Records as "grease" and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

472. On certain occasions, Chili's arranged with transporter Earth America to transport Chili's' waste streams to the USOR Site.

473. The waste streams generated by Chili's fall within the definition of "solid waste" under the TSWDA.

474. By letter dated August 25, 2015, the USOR Site PRP Group notified Brinker of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Brinker the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

475. To date, Brinker has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

476. According to USOR Site Records, from at least December 2005 to February 2006, Defendant British Pubs, LC doing business as Red Lion ("British Pubs") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 1,500 gallons of waste containing hazardous substances owned or possessed by British Pubs, at the USOR Site.

477. The waste generated by British Pubs is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

478. On certain occasions, British Pubs arranged with transporter Defendant Consolidated Waste, LLC, doing business as Liquid Waste Solutions, to transport British Pubs’ waste streams to the USOR Site.

479. The waste streams generated by British Pubs fall within the definition of “solid waste” under the TSWDA.

480. By letter dated September 18, 2015, the USOR Site PRP Group notified British Pubs of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered British Pubs the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

481. To date, British Pubs has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

482. Defendant Brookfield Properties Corp. (“Brookfield Properties”) is the successor to Trizec Properties, Inc. (“Trizec”).

483. In or about October 2006, Brookfield Properties acquired Trizec under a merger agreement.

484. Thereafter, Brookfield Properties adopted Trizec’s operating platform in Houston, Texas.

485. According to USOR Site Records, in at least February 2004, Trizec by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for

transport for disposal or treatment, at least 500 gallons of waste containing hazardous substances owned or possessed by Trizec, at the USOR Site.

486. The waste generated by Trizec is described on USOR Site Records as “organic” and contained some or all of the following hazardous substances: acetone, cadmium, chromium, copper, dichloroethylene, lead, methyl ethyl ketone, methylene chloride, nickel, toluene, trichloroethane, trichloroethylene and/or zinc.

487. On certain occasions, Trizec arranged with transporter Earth America to transport Trizec’s waste streams to the USOR Site.

488. The waste streams generated by Trizec fall within the definition of “solid waste” under the TSWDA.

489. By letter dated October 30, 2015, the USOR Site PRP Group notified Brookfield Properties of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Brookfield Properties the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

490. To date, Brookfield Properties has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

491. According to USOR Site Records, from at least November 2005 to March 2006, Defendant Brothers Pizzeria, Inc. (“Brothers Pizzeria”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 95 gallons of waste containing hazardous substances owned or possessed by Brothers Pizzeria, at the USOR Site.

492. The waste generated by Brothers Pizzeria is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

493. On certain occasions, Brothers Pizzeria arranged with transporters A-Affordable Vacuum and Defendant Consolidated Waste, LLC, doing business as Liquid Waste Solutions, to transport Brothers Pizzeria’s waste streams to the USOR Site.

494. The waste streams generated by Brothers Pizzeria fall within the definition of “solid waste” under the TSWDA.

495. By letter dated October 30, 2015, the USOR Site PRP Group notified Brothers Pizzeria of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Brothers Pizzeria the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

496. To date, Brothers Pizzeria has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

497. According to USOR Site Records, in at least November 2005, Defendant Buffalo Grille, Inc. (“Buffalo Grille”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 1,000 gallons of waste containing hazardous substances owned or possessed by Buffalo Grille, at the USOR Site.

498. The waste generated by Buffalo Grille is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

499. On certain occasions, Buffalo Grille arranged with transporter Defendant Consolidated Waste, LLC, doing business as Liquid Waste Solutions, to transport Buffalo Grille’s waste streams to the USOR Site.

500. The waste streams generated by Buffalo Grille fall within the definition of “solid waste” under the TSWDA.

501. By letter dated August 14, 2015, the USOR Site PRP Group notified Buffalo Grille of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Buffalo Grille the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

502. To date, Buffalo Grille has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

503. According to USOR Site Records, from at least February 2006 to March 2006, Defendant Buffets, LLC doing business as Ryan's (“Buffets, LLC”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 4,800 gallons of waste containing hazardous substances owned or possessed by Buffets, LLC, at the USOR Site.

504. The waste generated by Buffets, LLC is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.



505. On certain occasions, Buffets, LLC arranged with transporters Earth America and Defendant Consolidated Waste, LLC, doing business as Liquid Waste Solutions, to transport Buffets, LLC's waste streams to the USOR Site.

506. The waste streams generated by Buffets, LLC fall within the definition of "solid waste" under the TSWDA.

507. By letter dated October 30, 2015, the USOR Site PRP Group notified Buffets, LLC of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Buffets, LLC the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

508. To date, Buffets, LLC has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

509. According to USOR Site Records, in at least March 2006, Defendant Burger Tex ("Burger Tex") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 800 gallons of waste containing hazardous substances owned or possessed by Burger Tex, at the USOR Site.

510. The waste generated by Burger Tex is described on USOR Site Records as "grease" and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

511. On certain occasions, Burger Tex arranged with transporter Defendant Public Sanitary Works, Inc. to transport Burger Tex's waste streams to the USOR Site.

512. The waste streams generated by Burger Tex fall within the definition of "solid waste" under the TSWDA.

513. By letter dated August 14, 2015, the USOR Site PRP Group notified Burger Tex of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Burger Tex the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

514. To date, Burger Tex has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

515. According to USOR Site Records, in at least October 2005, Defendant C Chang, Inc. doing business as Eastern Chinese Restaurant ("C Chang") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 700 gallons of waste containing hazardous substances owned or possessed by C Chang, at the USOR Site.

516. The waste generated by C Chang is described on USOR Site Records as "grease" and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

517. On certain occasions, C Chang arranged with transporter Unique Sanitation to transport C Chang's waste streams to the USOR Site.

518. The waste streams generated by C Chang fall within the definition of "solid waste" under the TSWDA.

519. By letter dated August 25, 2015, the USOR Site PRP Group notified C Chang of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened

release of hazardous substances at the USOR Site; and offered C Chang the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

520. To date, C Chang has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

521. According to USOR Site Records, in at least November 2005, Defendant CC & YY Corporation doing business as Mannie's Seafood Market Restaurant ("Mannie's Seafood") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 200 gallons of waste containing hazardous substances owned or possessed by Mannie's Seafood, at the USOR Site.

522. The waste generated by Mannie's Seafood is described on USOR Site Records as "grease" and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

523. On certain occasions, Mannie's Seafood arranged with transporter Defendant Consolidated Waste, LLC, doing business as Liquid Waste Solutions, to transport Mannie's Seafood's waste streams to the USOR Site.

524. The waste streams generated by Mannie's Seafood fall within the definition of "solid waste" under the TSWDA.

525. By letter dated September 4, 2015, the USOR Site PRP Group notified Mannie's Seafood of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Mannie's Seafood the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

526. To date, Mannie's Seafood has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

527. According to USOR Site Records, from at least December 2003 to September 2005, Defendant C.R. McCaskill Enterprises, Inc., doing business as Tideland Grease Trap Service ("Tideland Grease"), accepted for transport to the USOR Site, which was selected by Tideland Grease, and/or by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment of waste owned or possessed by Tideland Grease, at least 11,260 gallons of waste containing hazardous substances at the USOR Site.

528. The waste streams generated by and/or transported by Tideland Grease are described on USOR Site Records as "grease" and contained some or all of the following hazardous substances: acetone, cadmium, chromium, copper, dichloroethylene, lead, methyl ethyl ketone, methylene chloride, nickel, toluene, trichloroethane, trichloroethylene and/or zinc.

529. On certain occasions, Tideland Grease transported its own waste streams to the USOR Site.

530. The waste streams generated by Tideland Grease and/or transported to the USOR Site by Tideland Grease fall within the definition of "solid waste" under the TSWDA.

531. By letters dated December 5, 2013 and January 21, 2015, the USOR Site PRP Group notified Tideland Grease of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered

Tideland Grease the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

532. To date, Tideland Grease has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

533. According to USOR Site Records, from at least May 2004 to July 2008, Defendant CEDA, Inc. ("CEDA") accepted for transport to the USOR Site, which was selected by CEDA, and/or by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment of waste owned or possessed by CEDA defendant, at least 65,680 gallons of waste containing hazardous substances at the USOR Site.

534. The waste streams generated by and/or transported by CEDA were RCRA hazardous waste described on USOR Site Records as "hazardous waste solids w/benzene."

535. The waste streams generated by and/or transported by CEDA are also described on USOR Site Records as "catalyst media," "non-RCRA, non-hazardous stormwater [sic]," "non-RCRA, non-hazardous stormwater (solids) [sic]," "recyclable hydrocarbons" and "used oil filters" and contained some or all of the following hazardous substances: acetone, cadmium, chromium, copper, dichloroethylene, lead, methyl ethyl ketone, methylene chloride, nickel, toluene, trichloroethane, trichloroethylene and/or zinc.

536. On certain occasions, CEDA transported its own waste streams to the USOR Site.

537. On other occasions, CEDA also arranged with transporters Defendant Specialized Maintenance Services, Inc. to transport CEDA's waste streams to the USOR Site.

538. On other occasions, CEDA also accepted for transport to the USOR Site waste streams generated by Rosenberg and Defendant Texas Department of Transportation.

539. The waste streams generated by CEDA and/or transported to the USOR Site by CEDA fall within the definition of “solid waste” under the TSWDA.

540. By letters dated December 5, 2013 and February 27, 2015, the USOR Site PRP Group notified CEDA of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered CEDA the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

541. To date, CEDA has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

542. According to USOR Site Records, from at least May 2004 to March 2006, Defendant CKG Services LLC (“CKG Services”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 50,213 gallons of waste containing hazardous substances owned or possessed by CKG Services at the USOR Site.

543. The waste streams CKG Services arranged for disposal were RCRA hazardous waste described on USOR Site Records as “Universal paint waste,” “Potassium Hydroxide,” “LIN 3501,” “CESQG209H,” “8,PG III (HLX-W230-77) (UN 2735)” “UN 1263, PG III (methanol),” and “Alzoxylated Amines Corrosive.”

544. The waste streams CKG Services arranged for disposal are also described on USOR Site Records as “oily water and tar,” “organic,” “recyclable material,” “Non Hazard, Non

Regulated Material,” “concrete cure,” “oily,” “oily drums,” “oil contaminated soil,” “recyclable oil,” “scaltitc concrete cure,” and “used oil” and contained some or all of the following hazardous substances: acetone, benzene, chromium, ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or zinc.

545. The waste streams CKG Services arranged for disposal at the USOR Site were generated by A.R.R.O.W., Apache Industrial Pointers, Arrow Recycling, BJ Services, Balfour Beatty, Borden, Inc., Computalog, Deer Park Independent School District, Express Lube, Gulf Stream Marine, Inman Texas Company, Defendant Jiffy Lube, Jones Contractors, KD Oilfield Services, Manchester Terminal, Seatex Ltd., Sheldon Independent School District, Southern Technologies, TBC Brinadd, Tesco, Williams Bro. Construction and Wing Aviation.

546. The waste streams arranged for disposal at the USOR Site by CKG Services fall within the definition of “solid waste” under the TSWDA.

547. By letters dated December 5, 2013 and February 27, 2015, the USOR Site PRP Group notified CKG Services of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered CKG Services the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

548. To date, CKG Services has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

549. According to USOR Site Records, in at least May 2007, Defendant CLP Chemicals L.P. (“CLP Chemicals”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least

10,000 gallons of waste containing hazardous substances owned or possessed by CLP Chemicals, at the USOR Site.

550. The waste streams generated by and/or transporter by CLP Chemicals are described on USOR Site Records as “vegetable oil and water” and contained some or all of the following hazardous substances: acetone, benzene, chromium, copper, dichlorobenzene, dichloroethylene, lead, methylene chloride, trichloroethane, trichloroethylene and/or zinc.

551. The waste streams generated by CLP Chemicals and/or transported to the USOR Site by CLP Chemicals fall within the definition of “solid waste” under the TSWDA.

552. By letters dated March 12, 2015 and September 18, 2015, the USOR Site PRP Group notified CLP Chemicals of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered CLP Chemicals the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

553. To date, CLP Chemicals has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

554. According to USOR Site Records, from at least November 2005 to December 2005, Defendant CTYD III Corporation doing business as Courtyard by Marriott (“CTYD III”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 1,600 gallons of waste containing hazardous substances owned or possessed by CTYD III, at the USOR Site.



555. The waste generated by CTYD III is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

556. On certain occasions, CTYD III arranged with transporter Defendant Consolidated Waste, LLC, doing business as Liquid Waste Solutions, to transport CTYD III’s waste streams to the USOR Site.

557. The waste streams generated by CTYD III fall within the definition of “solid waste” under the TSWDA.

558. By letter dated August 14, 2015, the USOR Site PRP Group notified CTYD III of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered CTYD III the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

559. To date, CTYD III has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

560. According to USOR Site Records, in at least February 2006, Defendant Cajun Operating Company doing business as Church's Chicken (“Cajun Operating”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 750 gallons of waste containing hazardous substances owned or possessed by Cajun Operating, at the USOR Site.

561. The waste generated by Cajun Operating is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

562. On certain occasions, Cajun Operating arranged with transporter Defendant Consolidated Waste, LLC, doing business as Liquid Waste Solutions, to transport Cajun Operating's waste streams to the USOR Site.

563. The waste streams generated by Cajun Operating fall within the definition of "solid waste" under the TSWDA.

564. By letter dated August 14, 2015, the USOR Site PRP Group notified Cajun Operating of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Cajun Operating the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

565. To date, Cajun Operating has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

566. According to USOR Site Records, in at least February 2006, Defendant Calco Marketing, Inc. ("Calco Marketing") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 1,800 gallons of waste containing hazardous substances owned or possessed by Calco Marketing, at the USOR Site.

567. The waste generated by Calco Marketing is described on USOR Site Records as "grease" and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

568. On certain occasions, Calco Marketing arranged with transporter Defendant Public Sanitary Works, Inc. to transport Calco Marketing's waste streams to the USOR Site.

569. The waste streams generated by Calco Marketing fall within the definition of “solid waste” under the TSWDA.

570. By letter dated August 14, 2015, the USOR Site PRP Group notified Calco Marketing of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Calco Marketing the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

571. To date, Calco Marketing has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

572. According to USOR Site Records, in at least February 2006, Defendant Calderon Foods Inc. doing business as Pan Riko Bakery (“Calderon”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 1,200 gallons of waste containing hazardous substances owned or possessed by Calderon, at the USOR Site.

573. The waste generated by Calderon is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

574. On certain occasions, Calderon arranged with transporter A-Affordable to transport Calderon’s waste streams to the USOR Site.

575. The waste streams generated by Calderon fall within the definition of “solid waste” under the TSWDA.

576. By letter dated September 4, 2015, the USOR Site PRP Group notified Calderon of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Calderon the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

577. To date, Calderon has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

578. Defendant Cameron International Corp. ("Cameron International") is the successor to Cameron Drilling Systems ("Cameron Drilling").

579. Cameron Drilling Systems is a business segment of Cameron International.

580. According to USOR Site Records, from at least November 2006 to January 2007, Cameron Drilling by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 11,500 gallons of waste containing hazardous substances owned or possessed by Cameron Drilling, at the USOR Site.

581. The waste streams generated by Cameron Drilling are described on USOR Site Records as "non hazardous non DOT regulated material (glycol ethers)" and "non hazardous non DOT reg wastewater" and contained some or all of the following hazardous substances: acetone, benzene, chromium, ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or zinc.

582. Cameron Drilling arranged with transporter Defendant HET Environmental to transport Cameron Drilling's waste streams to the USOR Site.

583. Cameron International is the successor to Cameron Iron Works, Inc. (“Cameron Iron Works”).

584. Cameron Iron Works was acquired by Cooper Industries, Inc. (“Cooper Industries”) in or about 1989 and renamed Cooper Oil Tool.

585. Cooper Cameron Corporation (“Cooper Cameron”) was incorporated in 1994 as a wholly-owned subsidiary of Cooper Industries and held Cooper Industries’ Petroleum & Industrial Equipment division, including Cooper Oil Tool.

586. Cooper Cameron and Cooper Industries completed an exchange offer with Cooper Industries’ stockholders in 1995, resulting in Cooper Cameron becoming a separate stand-alone company.

587. Pursuant to a Certificate of Amendment to Cooper Cameron’s Articles of Incorporation filed on May 11, 2006 with Secretary of the State of Delaware, Cooper Cameron’s name was amended to Cameron International.

588. According to USOR Site Records, from at least June 2004 to September 2007, Cameron Iron Works by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 5,660 gallons of waste containing hazardous substances owned or possessed by Cameron Iron Works, at the USOR Site.

589. The waste streams generated by Cameron Iron Works are described on USOR Site Records as “non regulated ground water” and “organic” and contained some or all of the following hazardous substances: acetone, benzene, chromium, ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or zinc.

590. Cameron Iron Works arranged with transporter Defendant Eagle Construction and Environmental Services, LLC to transport Cameron Iron Work's waste streams to the USOR Site.

591. Cameron International is also the successor to Cooper Energy Services ("Cooper Energy").

592. Cooper Energy is a prior division of Cameron International.

593. According to USOR Site Records, in at least December 2004, Cooper Energy by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 5,700 gallons of waste containing hazardous substances owned or possessed by Cooper Energy, at the USOR Site.

594. The waste streams generated by Cooper Energy were RCRA hazardous waste described on USOR Site Records as "waste corrosive liquid, n.o.s. (sodium hydroxide), 8, UN 1760, PG I."

595. Cooper Energy arranged with transporter Defendant Bayou City Environmental Services, LP to transport Cooper Energy's waste streams to the USOR Site.

596. The waste streams generated by Cameron Drilling, Cameron Iron Works and Cooper Energy fall within the definition of "solid waste" under the TSWDA.

597. By letters dated December 5, 2013 and December 12, 2014, the USOR Site PRP Group notified Cameron Drilling and Cooper Energy, respectively, of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Cameron Drilling and Cooper Energy, respectively, the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

598. To date, Cameron International has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

599. Defendant Cameron Rig Solutions, Inc. (“Cameron Rig”) is the successor to Oilfield-Electric Marine, Inc. (“Oilfield-Electric-Marine”).

600. Cameron Rig is formerly known as LeTourneau Technologies Drilling Systems, Inc. (“LeTourneau Technologies”).

601. Oilfield Electric Marine was merged into LeTourneau Technologies in or about December 2006.

602. According to USOR Site Records, from at least January 2004 to May 2005, Oilfield-Electric-Marine by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 10,790 gallons of waste containing hazardous substances owned or possessed by Oilfield-Electric-Marine, at the USOR Site.

603. The waste streams generated by Oilfield-Electric-Marine are described on USOR Site Records as “non-RCRA/non DOT regulated wastewater,” “oil” and “oily water” and contained some or all of the following hazardous substances: acetone, benzene, chromium, ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylene and/or zinc.

604. Oilfield-Electric-Marine arranged with transporters CES Environmental Service, Inc. and Oil Mop LLC to transport Oilfield-Electric-Marine’s waste streams to the USOR Site.

605. The waste streams generated by Oilfield-Electric-Marine fall within the definition of “solid waste” under the TSWDA.

606. By letters dated December 5, 2013 and September 18, 2015, the USOR Site PRP Group notified Oilfield-Electric-Marine and Cameron Rig, respectively, of the existence of the

release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Oilfield-Electric-Marine the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

607. To date, Cameron Rig has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

608. According to USOR Site Records, in at least February 2006, Defendant The Candy Wrappers, LLC doing business as The Chocolate Bar ("Chocolate Bar") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 60 gallons of waste containing hazardous substances owned or possessed by Chocolate Bar, at the USOR Site.

609. The waste generated by Chocolate Bar is described on USOR Site Records as "grease" and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

610. On certain occasions, Chocolate Bar arranged with transporter Defendant Public Sanitary Works, Inc. to transport Chocolate Bar's waste streams to the USOR Site.

611. The waste streams generated by Chocolate Bar fall within the definition of "solid waste" under the TSWDA.

612. By letter dated August 14, 2015, the USOR Site PRP Group notified Chocolate Bar of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Chocolate Bar the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.



613. To date, Chocolate Bar has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

614. According to USOR Site Records, in at least April 2005, Defendant Carillo Brothers Auto Sales, Inc. (“Carillo Brothers Auto”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 1,616 gallons of waste containing hazardous substances owned or possessed by Carillo Brothers Auto, at the USOR Site.

615. The waste streams generated by Carillo Brothers Auto are described on USOR Site Records as “oily soil” and contained some or all of the following hazardous substances: acetone, chromium, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or zinc.

616. Carillo Brothers Auto arranged with transporter Milstead Environmental to transport Carillo Brothers Auto’s waste streams to the USOR Site.

617. The waste streams generated by Carillo Brothers Auto fall within the definition of “solid waste” under the TSWDA.

618. By letter dated November 21, 2014, the USOR Site PRP Group notified Carillo Brothers Auto of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Carillo Brothers Auto the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

619. To date, Carillo Brothers Auto has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

620. According to USOR Site Records, from at least December 2005 to July 2006, Defendant Cedarwood Development, Inc. doing business as Cedarwood Development of Texas, Inc. (“Cedarwood Development”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 50,070 gallons of waste containing hazardous substances owned or possessed by Cedarwood Development, at the USOR Site.

621. The waste streams generated by Cedarwood Development are described on USOR Site Records as “UST wash water” and contained some or all of the following hazardous substances: acetone, asbestos, benzene, benzo(a)anthracene, benzo(a)pyrene, cadmium, chromium, copper, cresol, dichloroethylene, fluorene, lead, methyl ethyl ketone, methylene chloride, nickel, perchloroethylene, phenanthrene, silver, tin, toluene, trichloroethane, trichloroethylene, vinyl chloride and/or zinc.

622. The waste streams generated by Cedarwood Development and/or transported to the USOR Site by Cedarwood Development fall within the definition of “solid waste” under the TSWDA.

623. By letters dated December 5, 2013 and February 27, 2015, the USOR Site PRP Group notified Cedarwood Development of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Cedarwood Development the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

624. To date, Cedarwood Development has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

625. According to USOR Site Records, in at least March 2006, Defendant Champ Burger (“Champ Burger”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 20 gallons of waste containing hazardous substances owned or possessed by Champ Burger, at the USOR Site.

626. The waste generated by Champ Burger is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

627. On certain occasions, Champ Burger arranged with transporter Defendant Public Sanitary Works, Inc. to transport Champ Burger’s waste streams to the USOR Site.

628. The waste streams generated by Champ Burger fall within the definition of “solid waste” under the TSWDA.

629. By letter dated August 14, 2015, the USOR Site PRP Group notified Champ Burger of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Champ Burger the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

630. To date, Champ Burger has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

631. According to USOR Site Records, in at least October 2005, Char Burger (“Char Burger”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 300 gallons of waste containing hazardous substances owned or possessed by Char Burger, at the USOR Site.

632. The waste generated by Char Burger is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

633. On certain occasions, Char Burger arranged with transporter Defendant Southern Discount Vacuum Service to transport Char Burger’s waste streams to the USOR Site.

634. The waste streams generated by Char Burger fall within the definition of “solid waste” under the TSWDA.

635. By letter dated August 14, 2015, the USOR Site PRP Group notified Char Burger of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Char Burger the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

636. To date, Char Burger has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

637. According to USOR Site Records, in at least March 2006, Defendant Charlie’s Deli (“Charlie’s Deli”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 220 gallons of waste containing hazardous substances owned or possessed by Charlie’s Deli, at the USOR Site.

638. The waste generated by Charlie's Deli is described on USOR Site Records as "grease" and contained some or all of the following hazardous substances: acetone, benzene, chromium, copper, dichlorobenzene, dichloroethylene, lead, methylene chloride, trichloroethane, trichloroethylene and/or zinc.

639. On certain occasions, Charlie's Deli arranged with transporter Defendant Public Sanitary Works, Inc. to transport Charlie's Deli's waste streams to the USOR Site.

640. The waste streams generated by Charlie's Deli fall within the definition of "solid waste" under the TSWDA.

641. By letter dated August 14, 2015, the USOR Site PRP Group notified Charlie's Deli of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Charlie's Deli the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

642. To date, Charlie's Deli has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

643. According to USOR Site Records, from at least October 2003 to November 2005, Defendant Chemical Transport, Inc. ("Chemical Transport") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 279,333 gallons of waste containing hazardous substances owned or possessed by Chemical Transport, at the USOR Site.

644. The waste streams generated by Chemical Transport are described on USOR Site Records as "non-hazardous waste water" and "organic" and contained some or all of the

following hazardous substances: acetone, benzene, chromium, ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or zinc.

645. Chemical Transport arranged with transporters Enterprise Transportation and CES Environmental to transport Chemical Transport's waste streams to the USOR Site.

646. The waste streams generated by Chemical Transport fall within the definition of "solid waste" under the TSWDA.

647. By letter dated February 7, 2014, the USOR Site PRP Group notified Chemical Transport of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Chemical Transport the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

648. To date, Chemical Transport has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

649. According to USOR Site Records, in at least January 2006, Defendant Cherry Top Bakery ("Cherry Top Bakery") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 400 gallons of waste containing hazardous substances owned or possessed by Cherry Top Bakery, at the USOR Site.

650. The waste generated by Cherry Top Bakery is described on USOR Site Records as "grease" and contained some or all of the following hazardous substances: acetone, benzene, chromium, copper, dichlorobenzene, dichloroethylene, lead, methylene chloride, trichloroethane, trichloroethylene and/or zinc.

651. On certain occasions, Cherry Top Bakery arranged with transporter A-Affordable Vacuum Services to transport Cherry Top Bakery's waste streams to the USOR Site.

652. The waste streams generated by Cherry Top Bakery fall within the definition of "solid waste" under the TSWDA.

653. By letter dated August 14, 2015, the USOR Site PRP Group notified Cherry Top Bakery of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Cherry Top Bakery the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

654. To date, Cherry Top Bakery has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

655. According to USOR Site Records, from at least November 2005 to February 2006, Defendant Chilos Seafood Restaurant, Inc. ("Chilos Seafood Restaurant") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 3,000 gallons of waste containing hazardous substances owned or possessed by Chilos Seafood Restaurant, at the USOR Site.

656. The waste generated by Chilos Seafood Restaurant is described on USOR Site Records as "grease" and contained some or all of the following hazardous substances: acetone, benzene, chromium, copper, dichlorobenzene, dichloroethylene, lead, methylene chloride, trichloroethane, trichloroethylene and/or zinc.

657. On certain occasions, Chilos Seafood Restaurant arranged with transporter Defendant Consolidated Waste, LLC, doing business as Liquid Waste Solutions, to transport Chilos Seafood Restaurant's waste streams to the USOR Site.

658. The waste streams generated by Chilos Seafood Restaurant fall within the definition of "solid waste" under the TSWDA.

659. By letter dated August 14, 2015, the USOR Site PRP Group notified Chilos Seafood Restaurant of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Chilos Seafood Restaurant the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

660. To date, Chilos Seafood Restaurant has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

661. According to USOR Site Records, in at least October 2005, Defendant China Doll Restaurant ("China Doll Restaurant") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 840 gallons of waste containing hazardous substances owned or possessed by China Doll Restaurant, at the USOR Site.

662. The waste generated by China Doll Restaurant is described on USOR Site Records as "grease" and contained some or all of the following hazardous substances: acetone, benzene, chromium, copper, dichlorobenzene, dichloroethylene, lead, methylene chloride, trichloroethane, trichloroethylene and/or zinc.



663. On certain occasions, China Doll Restaurant arranged with transporter Unique Sanitation to transport China Doll Restaurant's waste streams to the USOR Site.

664. The waste streams generated by China Doll Restaurant fall within the definition of "solid waste" under the TSWDA.

665. By letter dated August 14, 2015, the USOR Site PRP Group notified China Doll Restaurant of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered China Doll Restaurant the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

666. To date, China Doll Restaurant has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

667. According to USOR Site Records, in at least March 2006, Defendant China Garden ("China Garden") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 40 gallons of waste containing hazardous substances owned or possessed by China Garden, at the USOR Site.

668. The waste generated by China Garden is described on USOR Site Records as "grease" and contained some or all of the following hazardous substances: acetone, benzene, chromium, copper, dichlorobenzene, dichloroethylene, lead, methylene chloride, trichloroethane, trichloroethylene and/or zinc.

669. On certain occasions, China Garden arranged with transporter Defendant Public Sanitary Works, Inc. to transport China Garden's waste streams to the USOR Site.

670. The waste streams generated by China Garden fall within the definition of “solid waste” under the TSWDA.

671. By letter dated August 14, 2015, the USOR Site PRP Group notified China Garden of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered China Garden the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

672. To date, China Garden has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

673. According to USOR Site Records, from at least November 2005 to March 2006, Defendant Cibo, Inc. doing business as Damian’s Cucina Italiano (“Cibo”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 2,700 gallons of waste containing hazardous substances owned or possessed by Cibo, at the USOR Site.

674. The waste generated by Cibo is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: acetone, benzene, chromium, copper, dichlorobenzene, dichloroethylene, lead, methylene chloride, trichloroethane, trichloroethylene and/or zinc.

675. On certain occasions, Cibo arranged with transporter Defendant Consolidated Waste, LLC, doing business as Liquid Waste Solutions, to transport Cibo’s waste streams to the USOR Site.

676. The waste streams generated by Cibo fall within the definition of “solid waste” under the TSWDA.

677. By letter dated August 14, 2015, the USOR Site PRP Group notified Cibo of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Cibo the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

678. To date, Cibo has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

679. According to USOR Site Records, in at least January 2006, Defendant CiCi's Enterprises, LP doing business as Cici's Pizza ("CiCi's Enterprises") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 1,000 gallons of waste containing hazardous substances owned or possessed by CiCi's Enterprises, at the USOR Site.

680. The waste generated by CiCi's Enterprises is described on USOR Site Records as "grease" and contained some or all of the following hazardous substances: acetone, benzene, chromium, copper, dichlorobenzene, dichloroethylene, lead, methylene chloride, trichloroethane, trichloroethylene and/or zinc.

681. On certain occasions, CiCi's Enterprises arranged with transporter Defendant Consolidated Waste, LLC, doing business as Liquid Waste Solutions, to transport CiCi's Enterprises' waste streams to the USOR Site.

682. The waste streams generated by CiCi's Enterprises fall within the definition of "solid waste" under the TSWDA.

683. By letter dated August 14, 2015, the USOR Site PRP Group notified CiCi's Enterprises of the existence of the release or threatened release of hazardous substances at the

USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered CiCi's Enterprises the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

684. To date, CiCi's Enterprises has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

685. According to USOR Site Records, in at least October 2005, Defendant CITGO Petroleum Corp. ("CITGO") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 9,250 gallons of waste containing hazardous substances owned or possessed by CITGO, at the USOR Site.

686. The waste streams generated by CITGO are described on USOR Site Records as "oily water" and contained some or all of the following hazardous substances: acetone, benzene, chromium, ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or zinc.

687. CITGO arranged with transporter Defendant El Regio Vacuum Service to transport CITGO's waste streams to the USOR Site.

688. The waste streams generated by CITGO fall within the definition of "solid waste" under the TSWDA.

689. By letters dated December 5, 2013 and December 12, 2014, the USOR Site PRP Group notified CITGO of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered

CITGO the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

690. To date, CITGO has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

691. According to USOR Site Records, in at least May 2004, Defendant City of Bryan, Texas ("City of Bryan") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 275 gallons of waste containing hazardous substances owned or possessed by City of Bryan, at the USOR Site.

692. The waste streams generated by City of Bryan are described on USOR Site Records as "oily water" and contained some or all of the following hazardous substances: acetone, benzene, cadmium, chromium, copper, dichloroethylene, ethyl benzene, lead, manganese, methyl ethyl ketone, methylene chloride, nickel, toluene, trichloroethane, trichloroethylene, xylenes and/or zinc.

693. City of Bryan arranged with transporter Oil Mop, LLC to transport City of Bryan's waste streams to the USOR Site.

694. The waste streams generated by City of Bryan fall within the definition of "solid waste" under the TSWDA.

695. By letter dated January 22, 2015, the USOR Site PRP Group notified City of Bryan of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered City of Bryan the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

696. To date, City of Bryan has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

697. According to USOR Site Records, in at least February 2006, Defendant City of Conroe, Texas (“Conroe”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 560 gallons of waste containing hazardous substances owned or possessed by Conroe, at the USOR Site.

698. The waste generated by Conroe is described on USOR Site Records as “grit” and contained some or all of the following hazardous substances: acetone, benzene, cadmium, chromium, copper, dichloroethylene, ethyl benzene, lead, manganese, methyl ethyl ketone, methylene chloride, nickel, toluene, trichloroethane, trichloroethylene, xylenes and/or zinc.

699. On certain occasions, Conroe arranged with transporter Earth America to transport Conroe’s waste streams to the USOR Site.

700. The waste streams generated by Conroe fall within the definition of “solid waste” under the TSWDA.

701. By letter dated August 14, 2015, the USOR Site PRP Group notified Conroe of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Conroe the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

702. To date, Conroe has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

703. Defendant City of Freeport, Texas (“City of Freeport”) is the successor to Freeport Police Station (“Freeport Police”).

704. According to USOR Site Records, in at least January 2004, Freeport Police by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 1,000 gallons of waste containing hazardous substances owned or possessed by Freeport Police, at the USOR Site.

705. The waste streams generated by Freeport Police are described on USOR Site Records as “oil” and contained some or all of the following hazardous substances: acetone, benzene, cadmium, chromium, copper, dichloroethylene, ethyl benzene, lead, manganese, methyl ethyl ketone, methylene chloride, nickel, toluene, trichloroethane, trichloroethylene, xylenes and/or zinc.

706. On certain occasions, Freeport Police arranged with transporter Defendant Specialized Maintenance Services, Inc. to transport Freeport Police’s waste streams to the USOR Site.

707. The waste stream generated by Freeport Police falls within the definition of “solid waste” under the TSWDA.

708. By letter dated January 22, 2015, the USOR Site PRP Group notified City of Freeport of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered City of Freeport the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

709. To date, City of Freeport has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

710. According to USOR Site Records, in at least June 2004, Defendant City of La Marque, Texas (“City of La Marque”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 1,010 gallons of waste containing hazardous substances owned or possessed by City of La Marque, at the USOR Site.

711. The waste streams generated by City of La Marque are described on USOR Site Records as “organic” and contained some or all of the following hazardous substances: acetone, benzene, cadmium, chromium, copper, dichloroethylene, ethyl benzene, lead, manganese, methyl ethyl ketone, methylene chloride, nickel, toluene, trichloroethane, trichloroethylene, xylenes and/or zinc.

712. On certain occasions, City of La Marque transported its own waste streams to the USOR Site.

713. The waste streams generated by City of La Marque and/or transported to the USOR Site by City of La Marque fall within the definition of “solid waste” under the TSWDA.

714. By letters dated May 8, 2014 and February 20, 2015, the USOR Site PRP Group notified City of La Marque of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered City of La Marque the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

715. To date, City of La Marque has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.



716. According to USOR Site Records, from at least February to August 2009, Defendant City of La Porte, Texas (“City of La Porte”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 5,250 gallons of waste containing hazardous substances owned or possessed by City of La Porte, at the USOR Site.

717. The waste streams generated by City of La Porte are described on USOR Site Records as “grease,” “oily water” and “organic” and contained some or all of the following hazardous substances: acetone, benzene, chromium, copper, dichlorobenzene, dichloroethylene, lead methylene chloride, trichloroethane, trichloroethylene and/or zinc.

718. On certain occasions, City of La Porte arranged with transporter Effective Environmental, Inc. to transport City of La Porte’s waste streams to the USOR Site.

719. The waste streams generated by City of La Porte fall within the definition of “solid waste” under the TSWDA.

720. By letter dated May 8, 2014, the USOR Site PRP Group notified City of La Porte of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered City of La Porte the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

721. To date, City of La Porte has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

722. Defendant City of Pasadena, Texas (“City of Pasadena”) owned the portion of the USOR Site located at 200 N. Richey Street from approximately 1944 until it was acquired by U.S. Oil Recovery in January 2009.

723. From approximately 1944 through February 1994, the City of Pasadena operated a wastewater treatment plant at the 200 N. Richey Street location it owned during that time period, which was known as the Vince Bayou Wastewater Treatment Plant (“Old Vince”).

724. From March 1994 through April 2004, Old Vince was still owned by the City of Pasadena, but was operated by Defendant Severn Trent Services (“Severn Trent”) under an agreement with the City of Pasadena.

725. From April 2004 to January 2009, the City of Pasadena continued to own the 200 N. Richey Street portion of the USOR Site until it was sold to U.S. Oil Recovery.

726. From approximately 1944 through April 2004, Old Vince accepted municipal wastewater and commercial wastewater that was placed in the municipal wastewater system that fed into the 200 N. Richey Street wastewater treatment plant location.

727. The municipal wastewater and commercial wastewater treated at Old Vince from 1944 through 1994 contained hazardous substances as defined by CERCLA, such as various metals, polycyclic aromatic hydrocarbons, semi-volatiles, among others.

728. As part of the City of Pasadena’s NPDES/TDPES permitting renewal applications in 1991, 1998 and 2002, the City of Pasadena provided the Texas Commission on Environmental Quality (“TCEQ”) with analytical samples of effluents from Old Vince. These samples showed that such effluents contained the following hazardous substances as defined by CERCLA: aluminum; barium; chromium; chloroform; cyanide; 1,4-dichlorobenzene; lead; lindane (gamma-BHC); methyl ethyl ketone; nickel; phenols; selenium; silver; and zinc.

729. During the time period Severn Trent operated Old Vince, Severn Trent used the following chemicals, all of which contain hazardous substances as defined by CERCLA: 1) an average of six cylinder of cylinder of chlorine gas used every two to four weeks, with each

cylinder weighing 2,000 pounds each; (2) an average of four cylinders of sulfur dioxide gas used every two to four weeks, which each cylinder weighing 2,000 pounds each; (3) an average of four, 55-gallon drums of a polymer known as Zetag 8818 used every two to four weeks; (4) an average of 5 ounces of potassium chloride; (5) an average of 100 grams of diethyl-p-phenylenediamine used every four weeks (approximately 1 gram used four times a day); (6) an average of 100 pounds of sodium hypochlorite used on an as needed basis; (7) an average of 2,000 gallons of sodium bi-sulfite used weekly; (8) oil-based paints; (9) paint thinners; (10) degreasers; and (11) household cleaning products.

730. By letter dated March 12, 2013, EPA notified the City of Pasadena of its potential liability at the USOR Site, described the removal actions being conducted by the USOR Site PRP Group at the time under Removal Action AOC, and further requested that the City of Pasadena negotiate in good faith with EPA to perform a Remedial Investigation and Feasibility Study (“RI/FS”) at the Site. EPA’s March 12, 2013 letter to the City of Pasadena also included questions to be answered by the City of Pasadena related to its involvement at the USOR Site.

731. The City of Pasadena provided a written response to EPA’s information requests by letter dated June 14, 2013. In its response, the City of Pasadena made all of the following admissions: (1) that it owned the 200 N. Richey portion of the USOR Site from at least 1944 through January 20, 2009; (2) that all of the chemicals listed in paragraph no. 497 above were stored and/or used at Old Vince from at least March 1994 through April 2004; (3) that several documented overflows of untreated or partially treated wastewater occurred at Old Vince between 1944 and April 2004, while it was owned by the City of Pasadena; and (4) that sludges generated from the wastewater treatment operations at Old Vince were placed in drying beds

placed directly on the soil at the 200 N. Richey location of the USOR Site from 1944 through at least 1983.

732. The City of Pasadena's June 14, 2013 response to EPA's information requests was evasive and non-responsive in various areas. By letter dated December 26, 2013, the USOR Site PRP Group provided the City of Pasadena with various public records that were likewise available to the City of Pasadena, which demonstrate the insufficiency and/or inaccuracies of the City of Pasadena's June 14, 2013 response letter. Despite receiving these documents, the City of Pasadena never supplemented its response to EPA's information requests, which is required by CERCLA.

733. Instead, by letter dated February 20, 2014 from the City of Pasadena's attorney to EPA, the City of Pasadena continued to be evasive with EPA. In its February 20, 2014 letter, the City of Pasadena again admitted that the wastewater treated at Old Vince during the time period it was owned by the City of Pasadena and operated by either the City of Pasadena or Severn Trent contained hazardous substances as defined by CERCLA, such as copper, lead and zinc. The City of Pasadena further admitted that untreated or partially treated wastewater containing at least such hazardous substances was spilled on various occasions at the 200 N. Richey Street location during this time period.

734. By letter dated May 8, 2014, the USOR Site PRP Group notified the City of Pasadena of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered the City of Pasadena the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

735. As a result of the significant rainfall events and flooding so far in 2015, there have been at least two overflows from the former wastewater treatment units at Old Vince. As a result, the USOR Site PRP Group and EPA requested the City of Pasadena's assistance in showing the USOR Site PRP Group and EPA representatives which valves could be triggered or what other means could be used to close off historical Old Vince hydraulic connections to minimize the actual and threatened overflows from the 200 N. Richey Street location of the USOR Site as a result of the significant rain events and flooding. Both the USOR Site PRP Group and EPA representatives emphasized the urgency of such requests to the City of Pasadena.

736. Despite these urgencies, the City of Pasadena continues to be uncooperative with the USOR Site PRP Group and EPA in even providing historical information about historical Old Vince operations.

737. The City of Pasadena's lack of cooperation with the USOR Site PRP Group and EPA continue to cause an increase in incurred response costs at the USOR Site.

738. Moreover, because the City of Pasadena has and continues to be evasive and non-cooperative in providing information to EPA and the USOR Site PRP Group, the USOR Site PRP Group has been required to conduct additional investigations and sampling at the 200 N. Richey location of the USOR Site.

739. These additional investigations and sampling demonstrate that the City of Pasadena and Severn Trent left waste materials and sludges at the 200 N. Richey Street location of the USOR Site from the Old Vince operations, which contain the following hazardous substances as defined by CERCLA: aluminum, arsenic, barium, cadmium, chromium, copper, lead, nickel, selenium, silver, and zinc.

740. Also, according to USOR Site Records, in at least September 2004, the City of Pasadena by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 450 gallons of waste containing hazardous substances owned or possessed by the City of Pasadena, at the USOR Site.

741. The waste materials and sludges involved with the Old Vince operations and generated by the City of Pasadena fall within the definition of “solid waste” under the TSWDA.

742. To date, the City of Pasadena has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

743. To date, Severn Trent has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

744. According to USOR Site Records, in at least May 2004, Defendant City Waste, L.P. (“City Waste”) accepted at least 2,020 gallons of waste containing hazardous substances for transport to the USOR Site, which was selected by City Waste.

745. The waste streams transported by City Waste are described on USOR Site Records as “non-hazardous oily sludge” and contained some or all of the following hazardous substances: acetone, benzene, chromium, copper, dichlorobenzene, dichloroethylene, lead, manganese, methyl ethyl ketone, methylene chloride, nickel, perchloroethylene, toluene, trichloroethane, trichloroethylene, xylenes and/or zinc.

746. The waste streams City Waste transported to the USOR Site were generated by Defendant Dan-Loc Bolt & Gasket Co.

747. The waste streams transported to the USOR Site by City Waste fall within the definition of “solid waste” under the TSWDA.

748. By letter dated December 5, 2013, the USOR Site PRP Group City Waste of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered City Waste the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

749. To date, City Waste has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

750. According to USOR Site Records, in at least March 2006, Defendant Clarewood House, Inc. ("Clarewood") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 2,500 gallons of waste containing hazardous substances owned or possessed by Clarewood, at the USOR Site.

751. The waste generated by Clarewood is described on USOR Site Records as "grease" and contained some or all of the following hazardous substances: acetone, benzene, chromium, copper, dichlorobenzene, dichloroethylene, lead, methylene chloride, trichloroethane, trichloroethylene and/or zinc.

752. On certain occasions, Clarewood arranged with transporter Defendant Public Sanitary Works, Inc. to transport Clarewood's waste streams to the USOR Site.

753. The waste streams generated by Clarewood fall within the definition of "solid waste" under the TSWDA.

754. By letter dated August 25, 2015, the USOR Site PRP Group notified Clarewood of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened

release of hazardous substances at the USOR Site; and offered Clarewood the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

755. To date, Clarewood has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

756. According to USOR Site Records, in at least August 2006, Defendant Co-Trans, Inc. doing business as CTI ("CTI") accepted at least 5,000 gallons of waste containing hazardous substances for transport to the USOR Site, which was selected by CTI.

757. The waste streams transported by CTI were RCRA hazardous waste described on USOR Site Records as "hazardous waste liquid, nos (benzene), UN 3082, PG II."

758. The waste streams CTI transported to the USOR Site were generated by TT Barge Services.

759. The waste streams transported to the USOR Site by CTI fall within the definition of "solid waste" under the TSWDA.

760. By letter dated September 18, 2015, the USOR Site PRP Group notified CTI of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered CTI the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

761. To date, CTI has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

762. According to USOR Site Records, in at least March 2004, Defendant Coach USA, Inc. ("Coach USA") by contract, agreement, or otherwise arranged for disposal or treatment,



and/or arranged with a transporter for transport for disposal or treatment, at least 715 gallons of waste containing hazardous substances owned or possessed by Coach USA, at the USOR Site.

763. The waste streams generated by Coach USA are described on USOR Site Records as “organic” and contained some or all of the following hazardous substances: acetone, benzene, chromium, ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or zinc.

764. Coach USA arranged with transporter Defendant Top Notch Transportation, Inc. to transport Coach USA’s waste streams to the USOR Site.

765. The waste streams generated by Coach USA fall within the definition of “solid waste” under the TSWDA.

766. By letter dated November 11, 2014, the USOR Site PRP Group notified Coach USA of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Coach USA the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

767. To date, Coach USA has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

768. According to USOR Site Records, from at least October 2002 to March 2009, Defendant Coal City Cob Co., Inc. (“Coal City Cob”) accepted at least 2,510,906 gallons of waste containing hazardous substances for transport to the USOR Site, which was selected by Coal City Cob.

769. The waste streams transported by Coal City Cob are described on USOR Site Records as “asphalt tank bottoms – washwater non-hazardous,” “class II non hazardous waste

water,” “dark water non-regulated material,” “EPA & DOT non regulated material,” “non DOT regulated material non hazardous water flush,” “non DOT regulated material,” “non DOT regulated material (aqueous oilfield chemicals),” “non DOT regulated material (drilling mud),” “non DOT regulated material (ethylene glycol and water),” “non DOT regulated material (oily water),” “non DOT regulated material (used oil),” “non DOT regulated material (water based line flush),” “non DOT regulated material (water with surfactant),” “non DOT regulated material (wastewater),” “non DOT regulated material (zinc wastewater),” “non-hazardous non-regulated liquid (water with butadiene),” “non-hazardous non-RCRA plant wastewater,” “non-hazardous non-RCRA wastewater (blowdown wastewater),” “non-hazardous non-RCRA wastewater (distillation blowdown),” “non-hazardous (reactor washwater),” “non-hazardous (sulfurized isobutylene),” “non-RCRA non-hazardous wastewater (distillation blowdown),” “oil,” “oily water,” “organic,” “other inorganic liquid (reactor wash water),” “tank bottoms washwaters,” “used oil and water mixture (not USDOT hazardous material)” and “used oil for recycle (not DOT regulated)” and contained some or all of the following hazardous substances: acetone, benzene, cadmium, chromium, cobalt, copper, dichlorobenzene, dichloroethylene, ethyl benzene, lead, manganese, methyl ethyl ketone, methylene chloride, nickel, perchloroethylene, toluene, trichloroethane, trichloroethylene, vinyl chloride, xylenes and/or zinc.

770. The waste streams transported by Coal City Cob were also RCRA hazardous waste described on USOR Site Records as “corrosive liquid, n.o.s. (acid alum), 8, UN 1760, PG III,” “hazardous waste liquid N.O.S. (benzene) 9 NA 3000 PG III,” “hazardous waste liquid N.O.S. (benzene) 9 NA 3082 III,” “oily waste water (not USDOT or USEPA regulated),” “RQ hazardous waste liquid, N.O.S. (benzene), 9 NA 3082 PG III,” “RQ waste corrosive liquid, acidic, inorganic n.o.s. (contains magnesium chloride), 8, UN 3264, PG II,” “RQ waste

flammable liquid, corrosive, NOS (fuel oil, sodium hydroxide), 3, UN 2924, PG III,” “RQ, waste flammable liquids, n.o.s. (cleaning solvents) 3, UN 1993, PG III (D001),” “RQ, waste flammable liquid, n.o.s. (xylene, IPA) 3, UN 1993, PG III (D001),” “sulfuric acid 8 UN 1830 II,” “waste corrosive liquid, acidic, inorganic, NOS (hydrofluoric [sic] acid) 6 UN 32641,” “waste corrosive liquid, basic, inorganic N.O.S., 8, UN 3266, PG III,” “waste corrosive liquid, flammable, N.O.S., contains aluminum chloride and heptane, 8, 3, UN 2920, PG II, ” “waste corrosive liquid, N.O.S., 8 UN 1760, PG III,” “waste flammable liquid, NOS, 3, UN 1993, PG II (isopropanol aromatic naptha),” “waste flammable liquid, N.O.S., 3/UN 1993/PG II (wastewater),” “waste hazardous liquid, corrosive, reactive, flammable, (contains [sic] disulfides) n.o.s., 9, UN 3082 PG III,” “waste hazardous liquids, N.O.S., 9, NA 3082, PG III (wastewater),” “waste potassium permanganate [sic] 5.1, UN 1490, PG II,” “waste sodium hypochlorite, 8, UN 1791, PG II” and “waste spent sulfuric acid, 8, UN 1832, II, RQ (1000#) (spent sulfuric acid w/water).”

771. The waste streams Coal City Cob transported to the USOR Site were generated by AKZO Nobel, Defendant Alcoa Inc., Defendant Amrep, Inc., Ashland Distribution Co., Blentech Corp., Champion Technologies, City of Houston, Coca Cola Enterprises, Continental Airlines, Inc., Crown Cork & Seal, Dow Haltermann Custom Processing, Dragon Products, Huish Dexagns [sic], Innovene Polyethylene, N.A., Johann Haltermann, Ltd., KMCO, Inc., Koppel Steel Corp., Magellan Terminals Holdings, L.P., Defendant Master Halco, Inc., MEMC Pasadena, Inc., Metton America, Inc., Nalco Energy, P Chem Incorporated, Safety Kleen Systems, Inc., Schlumberger Technology Corp., Southwest Shipyard L.P., T.T. Barge Service, Valero Marketing & Supply – Houston Terminal, Valero Terminals & Distribution Co. and VLS.

772. The waste streams transported to the USOR Site by Coal City Cob fall within the definition of “solid waste” under the TSWDA.

773. By letter dated April 24, 2015, the USOR Site PRP Group notified Coal City Cob of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Coal City Cob the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

774. To date, Coal City Cob has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

775. According to USOR Site Records, from at least May to June 2004, Defendant Coastal Transport Co., Inc. (“Coastal Transport”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment of waste owned or possessed by Coastal Transport, at least 33,570 gallons of waste containing hazardous substances at the USOR Site.

776. The waste streams generated by Coastal Transport are described on USOR Site Records as “oily water” and contained some or all of the following hazardous substances: acetone, benzene, chromium, ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or zinc.

777. On certain occasions, Coastal Transport arranged with transporter R&D Environmental to transport Coastal Transport’s waste streams to the USOR Site.

778. The waste streams generated by Coastal Transport fall within the definition of “solid waste” under the TSWDA.

779. By letters dated December 5, 2013 and February 27, 2015, the USOR Site PRP Group notified Coastal Transport of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Coastal Transport the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

780. To date, Coastal Transport has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

781. According to USOR Site Records, in at least June 2006, Defendant Cole Chemical & Distributing, Inc. ("Cole Distributing") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 33,335 gallons of waste containing hazardous substances owned or possessed by Cole Distributing, at the USOR Site.

782. The waste streams generated by Cole Distributing are described on USOR Site Records as "nonhazardous waste water" and contained some or all of the following hazardous substances: acetone, benzene, chromium, ethyl benzene, xylenes, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane and/or zinc.

783. Cole Distributing arranged with transporter Defendant Bealine Service Co., Inc. to transport Cole Distributing's waste streams to the USOR Site.

784. The waste streams generated by Cole Distributing fall within the definition of "solid waste" under the TSWDA.

785. By letter dated January 5, 2015, the USOR Site PRP Group notified Cole Distributing of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Cole Distributing the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

786. To date, Cole Distributing has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

787. According to USOR Site Records, in at least March 2006, Defendant Colonial House of Sandwiches ("Colonial House") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 200 gallons of waste containing hazardous substances owned or possessed by Colonial House, at the USOR Site.

788. The waste generated by Colonial House is described on USOR Site Records as "grease" and contained some or all of the following hazardous substances: acetone, benzene, chromium, copper, dichlorobenzene, dichloroethylene, lead, methylene chloride, trichloroethane, trichloroethylene and/or zinc.

789. On certain occasions, Colonial House arranged with transporter Earth America to transport Colonial House's waste streams to the USOR Site.

790. The waste streams generated by Colonial House fall within the definition of "solid waste" under the TSWDA.

791. By letter dated August 14, 2015, the USOR Site PRP Group notified Colonial House of the existence of the release or threatened release of hazardous substances at the USOR

Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Colonial House the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

792. To date, Colonial House has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

793. According to USOR Site Records, in at least November 2005, Defendant Compleat Cuisine, Inc. ("Compleat Cuisine") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 1,000 gallons of waste containing hazardous substances owned or possessed by Compleat Cuisine, at the USOR Site.

794. The waste generated by Compleat Cuisine is described on USOR Site Records as "grease" and contained some or all of the following hazardous substances: acetone, benzene, chromium, copper, dichlorobenzene, dichloroethylene, lead, methylene chloride, trichloroethane, trichloroethylene and/or zinc.

795. On certain occasions, Compleat Cuisine arranged with transporter Defendant Consolidated Waste, LLC, doing business as Liquid Waste Solutions, to transport Compleat Cuisine's waste streams to the USOR Site.

796. The waste streams generated by Compleat Cuisine fall within the definition of "solid waste" under the TSWDA.

797. By letter dated August 14, 2015, the USOR Site PRP Group notified Compleat Cuisine of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or

threatened release of hazardous substances at the USOR Site; and offered Compleat Cuisine the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

798. To date, Compleat Cuisine has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

799. According to USOR Site Records, from at least July 2005 to at least January 2009, Defendant Conestoga-Rovers & Associates Inc. ("CRA") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 203,125 gallons of waste containing hazardous substances owned or possessed by CRA, at the USOR Site.

800. The waste streams generated by and/or arranged for disposal by CRA are described on USOR Site Records as "diesel/water," "fuel oil #6 sludge," "off spec condensate," "oily water," "petroleum lubricating grease," "rinsewater with trace of petroleum distillate" and "used lube oil, corrosion inhibitor, and water" and contained some or all of the following hazardous substances: acetone, benzene, chromium, copper, ethyl benzene, lead, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or zinc.

801. On certain occasions, the waste streams CRA arranged for disposal at the USOR Site were generated by Advance Logistics Services, BNSF Railway Co., Kansas City Southern Railway, Kinder Morgan and Magellan Terminals.

802. On certain occasions, CRA transported its own waste streams to the USOR Site.

803. On certain occasions, CRA arranged with transporter US Oil Recovery to transport CRA's waste streams to the USOR Site.



804. The waste streams arranged for disposal at the USOR Site by CRA fall within the definition of “solid waste” under the TSWDA.

805. By letters dated December 5, 2013 and April 24, 2015, the USOR Site PRP Group notified CRA of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered CRA the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

806. To date, CRA has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

807. According to USOR Site Records, in at least November 2006, Defendant Concrete Producers Solutions, Inc. (“Concrete Producers”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 3,000 gallons of waste containing hazardous substances owned or possessed by Concrete Producers, at the USOR Site.

808. The waste generated by Concrete Producers is described on USOR Site Records as “oily water” and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, dichloroethylene, lead, mercury, molybdenum, nickel, perchloroethylene, selenium, toluene, xylenes and/or zinc.

809. On certain occasions, Concrete Producers arranged with transporter Gulf Coast Vacuum to transport Concrete Producers’ waste streams to the USOR Site.

810. The waste streams generated by Concrete Producers fall within the definition of “solid waste” under the TSWDA.

811. By letter dated August 25, 2015, the USOR Site PRP Group notified Concrete Producers of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Concrete Producers the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

812. To date, Concrete Producers has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

813. According to USOR Site Records, in at least July 2006, Defendant Conn's Service Center, Inc. ("Conn's Service Center") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 2,500 gallons of waste containing hazardous substances owned or possessed by Conn's Service Center, at the USOR Site.

814. The waste streams generated by Conn's Service Center are described on USOR Site Records as "hydraulic oil and water" and contained some or all of the following hazardous substances: acetone, benzene, chromium, ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or zinc.

815. The waste streams generated by Conn's Service Center and/or transported to the USOR Site by Conn's Service Center fall within the definition of "solid waste" under the TSWDA.

816. By letters dated December 5, 2013 and December 12, 2014, the USOR Site PRP Group notified Conn's Service Center of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take

steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Conn's Service Center the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

817. To date, Conn's Service Center has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

818. Alternatively, Defendant Conn's, Inc. ("Conn's") is responsible for the waste streams attributable to Conn's Service Center, as alleged in paragraph nos. 813-814 above.

819. By letter dated December 12, 2014, the USOR Site PRP Group notified Conn's of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Conn's the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

820. To date, Conn's has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

821. Defendant Consolidated Restaurant Operations, Inc. ("Consolidated Restaurant") is the operator of El Chico Restaurants ("El Chico").

822. According to USOR Site Records, in at least March 2006, El Chico by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 800 gallons of waste containing hazardous substances owned or possessed by El Chico, at the USOR Site.

823. The waste generated by El Chico is described on USOR Site Records as "grease" and contained some or all of the following hazardous substances: acetone, benzene, chromium,

copper, dichlorobenzene, dichloroethylene, lead, methylene chloride, trichloroethane, trichloroethylene and/or zinc.

824. On certain occasions, El Chico arranged with transporter Earth America to transport El Chico's waste streams to the USOR Site.

825. The waste streams generated by El Chico fall within the definition of "solid waste" under the TSWDA.

826. By letter dated August 25, 2015, the USOR Site PRP Group notified Consolidated Restaurant of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Consolidated Restaurant the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

827. To date, Consolidated Restaurant has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

828. According to USOR Site Records, from at least January 2005 to at least March 2006, Defendant Consolidated Waste, LLC doing business as Liquid Waste Solutions ("Liquid Waste Solutions") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 274,690 gallons of waste containing hazardous substances owned or possessed by Liquid Waste Solutions, at the USOR Site.

829. The waste streams Liquid Waste Solutions arranged for disposal are described on USOR Site Records as "grease" and "grit" and contained some or all of the following hazardous

substances: acetone, benzene, cadmium, chromium, copper, dichlorobenzene, dichloroethylene, lead, manganese, mercury, methyl ethyl ketone, methylene chloride, nickel, perchloroethylene, toluene, trichloroethane, trichloroethylene, xylenes and/or zinc.

830. The waste streams Liquid Waste Solutions arranged for disposal at the USOR Site were generated by Aunt Bea, Construction Master, Mandorin, McDonalds, Miller Café, Serco Construction, Shipley and Stewart & Stevenson.

831. The waste streams arranged for disposal at the USOR Site by Liquid Waste Solutions fall within the definition of “solid waste” under the TSWDA.

832. By letter dated February 7, 2014, the USOR Site PRP Group notified Liquid Waste Solutions of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Liquid Waste Solutions the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

833. To date, Liquid Waste Solutions has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

834. According to USOR Site Records, from at least November 2005 to December 2005, Defendant Construction Masters of Houston, Inc. (“Construction Masters”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 3,400 gallons of waste containing hazardous substances owned or possessed by Construction Masters, at the USOR Site.

835. The waste generated by Construction Masters is described on USOR Site Records as “organic” and “salty water” and contained some or all of the following hazardous substances: acetone, cadmium, chromium, copper, dichloroethylene, lead, methyl ethyl ketone, methylene chloride, nickel, toluene, trichloroethane, trichloroethylene and/or zinc.

836. On certain occasions, Construction Masters arranged with transporter Defendant Consolidated Waste, LLC, doing business as Liquid Waste Solutions, to transport Construction Masters’ waste streams to the USOR Site.

837. The waste streams generated by Construction Masters fall within the definition of “solid waste” under the TSWDA.

838. By letter dated August 14, 2015, the USOR Site PRP Group notified Construction Masters of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Construction Masters the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

839. To date, Construction Masters has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

840. According to USOR Site Records, from at least March 2004 to April 2004, Defendant Control Solutions, Inc. (“Control Solutions”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 628,520 gallons of waste containing hazardous substances owned or possessed by Control Solutions, at the USOR Site.

841. The waste streams generated by Control Solutions are described on USOR Site Records as “oily water” and “organic” and contained some or all of the following hazardous substances: acetone, benzene, chromium, cobalt, copper, ethyl benzene, lead, manganese, methyl ethyl ketone, nickel, perchloroethylene, trichloroethane, trichloroethylene, toluene, xylenes and/or zinc.

842. Control Solutions arranged with transporters AB Clean, Defendant Bealine Service Co., Inc., Envirologistics, Defendant Evergreen Industrial Services, Defendant Gator Environmental & Rentals, Inc., Garner Environmental, Gulf Coast Remediation, Gulf Coast Vacuum and PSC to transport Control Solutions’ waste streams to the USOR Site.

843. The waste streams generated by Control Solutions fall within the definition of “solid waste” under the TSWDA.

844. By letters dated December 5, 2013 and April 24, 2015, the USOR Site PRP Group notified Control Solutions of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Control Solutions the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

845. To date, Control Solutions has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

846. According to USOR Site Records, in at least October 2005, Defendant Cowboy Ranch, Grill and Cantina, Inc. (“Cowboy Ranch”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or

treatment, at least 1,000 gallons of waste containing hazardous substances owned or possessed by Cowboy Ranch, at the USOR Site.

847. The waste generated by Cowboy Ranch is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: acetone, benzene, chromium, copper, dichlorobenzene, dichloroethylene, lead, methylene chloride, trichloroethane, trichloroethylene and/or zinc.

848. On certain occasions, Cowboy Ranch arranged with transporter Defendant Consolidated Waste, LLC, doing business as Liquid Waste Solutions, to transport Cowboy Ranch’s waste streams to the USOR Site.

849. The waste streams generated by Cowboy Ranch fall within the definition of “solid waste” under the TSWDA.

850. By letter dated October 2, 2015, the USOR Site PRP Group notified Cowboy Ranch of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Cowboy Ranch the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

851. To date, Cowboy Ranch has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

852. According to USOR Site Records, Defendant Crystal Warehouse Corp. (“Crystal Warehouse”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, waste containing hazardous substances owned or possessed by Crystal Warehouse, at the USOR Site.



853. The waste streams generated by Crystal Warehouse and/or transported to the USOR Site by Crystal Warehouse fall within the definition of “solid waste” under the TSWDA.

854. By letter dated December 5, 2013, the USOR Site PRP Group notified Crystal Warehouse of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Crystal Warehouse the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

855. To date, Crystal Warehouse has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

856. According to USOR Site Records, from at least March 2006 to January 2009, Defendant Curran International, Inc. (“Curran”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 33,300 gallons of waste containing hazardous substances owned or possessed by Curran, at the USOR Site.

857. The waste streams generated by Curran are described on USOR Site Records as “neutralized washwater” and “organic” and contained some or all of the following hazardous substances: chromium, copper, lead, manganese, methyl ethyl ketone, nickel, perchloroethylene, toluene, trichloroethane, trichloroethylene and/or xylenes.

858. Curran arranged with transporter Evergreen to transport Curran’s waste streams to the USOR Site.

859. The waste streams generated by Curran fall within the definition of “solid waste” under the TSWDA.

860. By letters dated December 5, 2013 and February 27, 2015, the USOR Site PRP Group notified Curran of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Curran the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

861. To date, Curran has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

862. According to USOR Site Records, from at least October to December 2003, Defendant D-Hawk Grease Trap Co. ("D-Hawk Grease") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 106,593 gallons of waste containing hazardous substances owned or possessed by D-Hawk Grease, at the USOR Site.

863. The waste streams arranged for disposal at the USOR Site by D-Hawk Grease fall within the definition of "solid waste" under the TSWDA.

864. By letter dated February 7, 2014, the USOR Site PRP Group notified D-Hawk Grease of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered D-Hawk Grease the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

865. To date, D-Hawk Grease has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

866. According to USOR Site Records, from at least November 2005 to January 2006, Defendant D. Houston, Inc. doing business as Treasures (“D. Houston”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 3,600 gallons of waste containing hazardous substances owned or possessed by D. Houston, at the USOR Site.

867. The waste generated by D. Houston is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: acetone, benzene, chromium, copper, dichlorobenzene, dichloroethylene, lead, methylene chloride, trichloroethane, trichloroethylene and/or zinc.

868. On certain occasions, D. Houston arranged with transporter A-Affordable Vacuum to transport D. Houston’s waste streams to the USOR Site.

869. The waste streams generated by D. Houston fall within the definition of “solid waste” under the TSWDA.

870. By letter dated September 25, 2015, the USOR Site PRP Group notified D. Houston of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered D. Houston the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

871. To date, D. Houston has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

872. According to USOR Site Records, from at least November 2005 to March 2006, Defendant D&J Morales Bakery (“D&J Morales”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or

treatment, at least 1,000 gallons of waste containing hazardous substances owned or possessed by D&J Morales, at the USOR Site.

873. The waste generated by D&J Morales is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: acetone, benzene, chromium, copper, dichlorobenzene, dichloroethylene, lead, methylene chloride, trichloroethane, trichloroethylene and/or zinc.

874. On certain occasions, D&J Morales arranged with transporter Defendant Consolidated Waste, LLC, doing business as Liquid Waste Solutions, to transport D&J Morales’ waste streams to the USOR Site.

875. The waste streams generated by D&J Morales fall within the definition of “solid waste” under the TSWDA.

876. By letter dated August 14, 2015, the USOR Site PRP Group notified D&J Morales of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered D&J Morales the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

877. To date, D&J Morales has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

878. Defendant DNOW L.P. (“DNOW”) is the successor to Wilson Industries, L.P. doing business as Wilson Supply (“Wilson Supply”).

879. In or about 2012, National Oilwell Varco, Inc. (“National Oilwell”) acquired Wilson Supply.

880. In or about 2014, NOW Inc. spun-off from National Oilwell to form DNOW.

881. According to USOR Site Records, in at least November 2007, Wilson Supply by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 300 gallons of waste containing hazardous substances owned or possessed by Wilson Supply, at the USOR Site.

882. The waste generated by Wilson Supply is described on USOR Site Records as “motor oil contaminated with lead” and contained some or all of the following hazardous substances: acetone, benzene, chromium, ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or zinc.

883. The waste streams generated by Wilson Supply fall within the definition of “solid waste” under the TSWDA.

884. By letter dated September 18, 2015, the USOR Site PRP Group notified DNOW of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered DNOW the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

885. To date, DNOW has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

886. According to USOR Site Records, in at least December 2005, Defendant DPJ Serra, Inc. doing business as Fiesta Tacos (“DPJ Serra”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 300 gallons of waste containing hazardous substances owned or possessed by DPJ Serra, at the USOR Site.

887. The waste generated by DPJ Serra is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: acetone, benzene, chromium, copper, dichlorobenzene, dichloroethylene, lead, methylene chloride, trichloroethane, trichloroethylene and/or zinc.

888. On certain occasions, DPJ Serra arranged with transporter Defendant Consolidated Waste, LLC, doing business as Liquid Waste Solutions, to transport DPJ Serra’s waste streams to the USOR Site.

889. The waste streams generated by DPJ Serra fall within the definition of “solid waste” under the TSWDA.

890. By letter dated August 25, 2015, the USOR Site PRP Group notified DPJ Serra of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered DPJ Serra the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

891. To date, DPJ Serra has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

892. According to USOR Site Records, in at least March 2007, Defendant D.S. Anthony & Sons, Inc. (“D.S. Anthony”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 600 gallons of waste containing hazardous substances owned or possessed by D.S. Anthony, at the USOR Site.

893. The waste streams generated by D.S. Anthony are described on USOR Site Records as “used oil” and contained some or all of the following hazardous substances: acetone,

benzene, chromium, copper, dichlorobenzene, dichloroethylene, lead, manganese, methyl ethyl ketone, methylene chloride, nickel, perchloroethylene, toluene, trichloroethane, trichloroethylene, xylenes and/or zinc.

894. D.S. Anthony arranged with transporter Defendant Triad Transport Inc. to transport D.S. Anthony's waste streams to the USOR Site.

895. The waste streams generated by D.S. Anthony fall within the definition of "solid waste" under the TSWDA.

896. By letter dated November 21, 2014, the USOR Site PRP Group notified D.S. Anthony of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered D.S. Anthony the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

897. To date, D.S. Anthony has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

898. According to USOR Site Records, in at least January 2005, Defendant DS Services of America, Inc. ("DS Services") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 1,750 gallons of waste containing hazardous substances owned or possessed by DS Services, at the USOR Site.

899. The waste generated by DS Services is described on USOR Site Records as "organic" and contained some or all of the following hazardous substances: acetone, benzene, chromium, ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or zinc.

900. On certain occasions, DS Services arranged with transporter Oil Mop, LLC to transport DS Services' waste streams to the USOR Site.

901. The waste streams generated by DS Services fall within the definition of "solid waste" under the TSWDA.

902. By letter dated August 14, 2015, the USOR Site PRP Group notified DS Services of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered DS Services the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

903. To date, DS Services has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

904. According to USOR Site Records, in at least March 2006, Defendant DSMM, Inc. doing business as Pop Supermarket ("DSMM") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 800 gallons of waste containing hazardous substances owned or possessed by DSMM, at the USOR Site.

905. The waste generated by DSMM is described on USOR Site Records as "grease" and contained some or all of the following hazardous substances: acetone, benzene, chromium, copper, dichlorobenzene, dichloroethylene, lead, methylene chloride, trichloroethane, trichloroethylene and/or zinc.

906. On certain occasions, DSMM arranged with transporter A-Affordable Vacuum Services, Inc. to transport DSMM's waste streams to the USOR Site.



907. The waste streams generated by DSMM fall within the definition of “solid waste” under the TSWDA.

908. By letter dated September 18, 2015, the USOR Site PRP Group notified DSMM of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered DSMM the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

909. To date, DSMM has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

910. According to USOR Site Records, from at least March 2006 to August 2007, Defendant Dan-Loc Bolt & Gasket Co. (“Dan-Loc”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 71,420 gallons of waste containing hazardous substances owned or possessed by Dan-Loc, at the USOR Site.

911. The waste streams generated by Dan-Loc are described on USOR Site Records as “non-hazardous, non DOT regulated (class 1 oily water)” and “non-hazardous oily sludge” and contained some or all of the following hazardous substances: acetone, benzene, chromium, copper, dichlorobenzene, dichloroethylene, lead, manganese, methyl ethyl ketone, methylene chloride, nickel, perchloroethylene, toluene, trichloroethane, trichloroethylene, xylenes and/or zinc.

912. Dan-Loc arranged with transporters Defendant City Waste, L.P., Defendant Specialized Waste Systems, Inc. and US Oil Recovery to transport Dan-Loc’s waste streams to the USOR Site.

913. The waste streams generated by Dan-Loc and/or transported to the USOR Site by Dan-Loc fall within the definition of “solid waste” under the TSWDA.

914. By letters dated December 5, 2013 and February 27, 2015, the USOR Site PRP Group notified Dan-Loc of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Dan-Loc the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

915. To date, Dan-Loc has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

916. Defendant Dana Transport, Inc. (“Dana”) is the successor to Suttles Truck Leasing, Inc. (“Suttles”).

917. In or about 2000, Dana acquired Suttles and thereafter integrated Suttles into Dana.

918. According to USOR Site Records, from at least September 2005 to January 2006, Suttles accepted at least 157,956 gallons of waste containing hazardous substances for transport to the USOR Site.

919. The waste streams transported by Suttles are described on USOR Site Records as “non hazardous non regulated washwater” and contained some or all of the following hazardous substances: acetone, benzene, chromium, ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or zinc.

920. The waste streams Suttles transported to the USOR Site were generated by Hexion Specialty Chemical.

921. The waste streams transported to the USOR Site by Suttles fall within the definition of “solid waste” under the TSWDA.

922. To date, Dana has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

923. According to USOR Site Records, from at least November 2005 to February 2006, Defendant Dang & Sons, Inc. (“Dang & Sons”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 10,600 gallons of waste containing hazardous substances owned or possessed by Dang & Sons, at the USOR Site.

924. The waste generated by Dang & Sons is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: acetone, benzene, chromium, copper, dichlorobenzene, dichloroethylene, lead, methylene chloride, trichloroethane, trichloroethylene and/or zinc.

925. On certain occasions, Dang & Sons arranged with transporter Defendant Public Sanitary Works, Inc. to transport Dang & Sons’ waste streams to the USOR Site.

926. The waste streams generated by Dang & Sons fall within the definition of “solid waste” under the TSWDA.

927. By letter dated October 30, 2015, the USOR Site PRP Group notified Dang & Sons of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Dang & Sons the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

928. To date, Dang & Sons has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

929. According to USOR Site Records, in at least March 2005, Defendant Danny Herman Trucking, Inc. (“Danny Herman Trucking”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 404 gallons of waste containing hazardous substances owned or possessed by Danny Herman Trucking, at the USOR Site.

930. The waste streams generated by Danny Herman Trucking are described on USOR Site Records as “oily” and contained some or all of the following hazardous substances: acetone, benzene, chromium, ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or zinc.

931. Danny Herman Trucking arranged with transporter Milstead Environmental to transport Danny Herman Trucking’s waste streams to the USOR Site.

932. The waste streams generated by Danny Herman Trucking fall within the definition of “solid waste” under the TSWDA.

933. By letter dated November 21, 2014, the USOR Site PRP Group notified Danny Herman Trucking of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Danny Herman Trucking the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

934. To date, Danny Herman Trucking has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

935. According to USOR Site Records, from at least February to March 2004, Defendant Deer Park Energy Center LLC (“Deer Park Energy”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 685,665 gallons of waste containing hazardous substances owned or possessed by Deer Park Energy, at the USOR Site.

936. The waste streams generated by Deer Park Energy are described on USOR Site Records as “boiler cleaning waste water (non-hazardous)” and “organic” and contained some or all of the following hazardous substances: acetone, copper, lead, methyl ethyl ketone, toluene, trichloroethane and/or xylene.

937. Deer Park Energy arranged with transporters Envirogenics L.P., Defendant Enviro-Vac, Ltd., Defendant Eagle Construction and Environmental Services, LLC and US Oil Recovery to transport Deer Park Energy’s waste streams to the USOR Site.

938. The waste streams generated by Deer Park Energy fall within the definition of “solid waste” under the TSWDA.

939. By letters dated February 7, 2014 and April 24, 2015, the USOR Site PRP Group notified Deer Park Energy of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Deer Park Energy the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

940. To date, Deer Park Energy has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

941. According to USOR Site Records, in at least February 2006, Defendant Del Pueblo Restaurant Group, Inc. doing business as Del Pueblo Mexican Restaurant (“Del Pueblo”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 2,000 gallons of waste containing hazardous substances owned or possessed by Del Pueblo, at the USOR Site.

942. The waste generated by Del Pueblo is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: acetone, benzene, chromium, copper, dichlorobenzene, dichloroethylene, lead, methylene chloride, trichloroethane, trichloroethylene and/or zinc.

943. On certain occasions, Del Pueblo arranged with transporter Defendant Consolidated Waste, LLC, doing business as Liquid Waste Solutions, to transport Del Pueblo’s waste streams to the USOR Site.

944. The waste streams generated by Del Pueblo fall within the definition of “solid waste” under the TSWDA.

945. By letter dated August 25, 2015, the USOR Site PRP Group notified Del Pueblo of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Del Pueblo the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

946. To date, Del Pueblo has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

947. According to USOR Site Records, in at least January 2006, Defendant Deli Management, Inc. doing business as Jason's Deli (“Deli Management”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 750 gallons of waste containing hazardous substances owned or possessed by Deli Management, at the USOR Site.

948. The waste generated by Deli Management is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: acetone, benzene, chromium, copper, dichlorobenzene, dichloroethylene, lead, methylene chloride, trichloroethane, trichloroethylene and/or zinc.

949. On certain occasions, Deli Management arranged with transporter Earth America, LLC to transport Deli Management’s waste streams to the USOR Site.

950. The waste streams generated by Deli Management fall within the definition of “solid waste” under the TSWDA.

951. By letter dated August 14, 2015, the USOR Site PRP Group notified Deli Management of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Deli Management the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

952. To date, Deli Management has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

953. According to USOR Site Records, from at least October 2007 to August 2009, Defendant Delta Specialty Coatings LLC (“Delta Specialty Coatings”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 23,880 gallons of waste containing hazardous substances owned or possessed by Delta Specialty Coatings, at the USOR Site.

954. The waste streams generated by Delta Specialty Coatings are described on USOR Site Records as “non-RCRA, non-hazardous chrome rinsewater” and “non-RCRA, non-hazardous alkline [sic] rinsewater” and contained some or all of the following hazardous substances: chromium, copper, lead, manganese, methyl ethyl ketone, nickel, perchloroethylene, toluene, trichloroethane, trichloroethylene and/or xylenes.

955. Delta Specialty Coatings arranged with transporters Defendant Intra-Services Inc., M.T.I. Environmental, Defendant Specialized Maintenance Services, Inc. and Defendant Specialized Waste Systems, Inc. to transport Delta Specialty Coatings’s waste streams to the USOR Site.

956. The waste streams generated by Delta Specialty Coatings fall within the definition of “solid waste” under the TSWDA.

957. By letters dated December 5, 2013 and December 19, 2014, the USOR Site PRP Group notified Delta Specialty Coatings of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Delta Specialty Coatings the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.



958. To date, Delta Specialty Coatings has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

959. According to USOR Site Records, in at least December 2005, Defendant DeMontrond Buick Company doing business as DeMontrond Automotive Group, Inc. (“DeMontrond Auto”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 958 gallons of waste containing hazardous substances owned or possessed by DeMontrond Auto, at the USOR Site.

960. The waste generated by DeMontrond Auto is described on USOR Site Records as “oily water” and contained some or all of the following hazardous substances: acetone, benzene, chromium, ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or zinc.

961. On certain occasions, DeMontrond Auto arranged with transporter Safety Kleen Systems, Inc. to transport DeMontrond Auto’s waste streams to the USOR Site.

962. The waste streams generated by DeMontrond Auto fall within the definition of “solid waste” under the TSWDA.

963. By letter dated August 25, 2015, the USOR Site PRP Group notified DeMontrond Auto of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered DeMontrond Auto the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

964. To date, DeMontrond Auto has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

965. According to USOR Site Records, in at least November 2005, Defendant Dent Removers, Inc. doing business as Texas Car Wash (“Dent Removers”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 4,300 gallons of waste containing hazardous substances owned or possessed by Dent Removers, at the USOR Site.

966. The waste generated by Dent Removers is described on USOR Site Records as “grit” and contained some or all of the following hazardous substances: acetone, benzene, cadmium, chromium, copper, dichloroethylene, ethyl benzene, lead, manganese, methyl ethyl ketone, methylene chloride, nickel, toluene, trichloroethane, trichloroethylene, xylenes and/or zinc.

967. On certain occasions, Dent Removers arranged with transporter A-Affordable Vacuum to transport Dent Removers’ waste streams to the USOR Site.

968. The waste streams generated by Dent Removers fall within the definition of “solid waste” under the TSWDA.

969. By letter dated September 18, 2015, the USOR Site PRP Group notified Dent Removers of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Dent Removers the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

970. To date, Dent Removers has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

971. Defendant Deposition Technology Inc. (“Deposition Technology”) subleased a prior facility of GTI Coatings, Inc. (“GTI Coatings”) in Austin, Texas beginning in or about January 2007.

972. Thereafter, Deposition Technology assumed the prior lease of the former GTI Coatings facility and operated a semiconductor business out of this facility.

973. Upon information and belief, Deposition Technology represented itself as GTI Coatings in USOR Site Records.

974. According to USOR Site Records, from at least October 2008 to October 2009, GTI Coatings by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 35,600 gallons of waste containing hazardous substances owned or possessed by GTI Coatings, at the USOR Site.

975. The waste streams generated by GTI Coatings are described on USOR Site Records as “Trench Water Non Hazardous/Non Regulated” and contained some or all of the following hazardous substances: acetone, copper, lead, methyl ethyl ketone, toluene, trichloroethane and/or xylenes.

976. On certain occasions, GTI Coatings arranged with transporter Triad Transport to transport GTI Coatings’ waste streams to the USOR Site.

977. The waste streams generated by GTI Coatings fall within the definition of “solid waste” under the TSWDA.

978. By letters dated December 5, 2013 and September 18, 2015, the USOR Site PRP Group notified GTI Coatings and Deposition Technology, respectively, of the existence of the

release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered GTI Coatings the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

979. To date, Deposition Technology Inc. has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

980. According to USOR Site Records, in at least February 2006, Defendant Dimassi's Mediterranean Buffet ("Dimassi's Buffet") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 3,500 gallons of waste containing hazardous substances owned or possessed by Dimassi's Buffet, at the USOR Site.

981. The waste generated by Dimassi's Buffet is described on USOR Site Records as "grease" and contained some or all of the following hazardous substances: acetone, benzene, chromium, copper, dichlorobenzene, dichloroethylene, lead, methylene chloride, trichloroethane, trichloroethylene and/or zinc.

982. On certain occasions, Dimassi's Buffet arranged with transporter Defendant Consolidated Waste, LLC, doing business as Liquid Waste Solutions, to transport Dimassi's Buffet's waste streams to the USOR Site.

983. The waste streams generated by Dimassi's Buffet fall within the definition of "solid waste" under the TSWDA.

984. By letter dated August 25, 2015, the USOR Site PRP Group notified Dimassi's Buffet of the existence of the release or threatened release of hazardous substances at the USOR

Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Dimassi's Buffet the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

985. To date, Dimassi's Buffet has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

986. According to USOR Site Records, in at least April 2007, Defendant Dollar Thrifty Automotive Group, Inc. ("Dollar Thrifty") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 550 gallons of waste containing hazardous substances owned or possessed by Dollar Thrifty, at the USOR Site.

987. The waste streams generated by Dollar Thrifty are described on USOR Site Records as "ground water" and contained some or all of the following hazardous substances: acetone, chromium, manganese, methyl ethyl ketone, nickel toluene, trichloroethane, xylenes and/or zinc.

988. The waste streams generated by Dollar Thrifty and/or transported to the USOR Site by Dollar Thrifty fall within the definition of "solid waste" under the TSWDA.

989. By letters dated December 5, 2013 and November 21, 2014, the USOR Site PRP Group notified Dollar Thrifty of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Dollar Thrifty the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

990. To date, Dollar Thrifty has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

991. According to USOR Site Records, from at least November 2005 to March 2006, Defendant Domino's Pizza LLC ("Domino's Pizza") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 916 gallons of waste containing hazardous substances owned or possessed by Domino's Pizza, at the USOR Site.

992. The waste generated by Domino's Pizza is described on USOR Site Records as "grease" and contained some or all of the following hazardous substances: acetone, benzene, chromium, copper, dichlorobenzene, dichloroethylene, lead, methylene chloride, trichloroethane, trichloroethylene and/or zinc.

993. On certain occasions, Domino's Pizza arranged with transporters Defendant Consolidated Waste, LLC, doing business as Liquid Waste Solutions, and Defendant Public Sanitary Works, Inc. to transport Domino's Pizza's waste streams to the USOR Site.

994. The waste streams generated by Domino's Pizza fall within the definition of "solid waste" under the TSWDA.

995. By letter dated August 14, 2015, the USOR Site PRP Group notified Domino's Pizza of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Domino's Pizza the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

996. To date, Domino's Pizza has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

997. According to USOR Site Records, in at least November 2005, Defendant Don Pico's Mexican Restaurant ("Don Pico's Restaurant") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 800 gallons of waste containing hazardous substances owned or possessed by Don Pico's Restaurant, at the USOR Site.

998. The waste generated by Don Pico's Restaurant is described on USOR Site Records as "grease" and contained some or all of the following hazardous substances: acetone, benzene, chromium, copper, dichlorobenzene, dichloroethylene, lead, methylene chloride, trichloroethane, trichloroethylene and/or zinc.

999. On certain occasions, Don Pico's Restaurant arranged with transporter Unique Sanitation to transport Don Pico's Restaurant's waste streams to the USOR Site.

1000. The waste streams generated by Don Pico's Restaurant fall within the definition of "solid waste" under the TSWDA.

1001. By letter dated September 4, 2015, the USOR Site PRP Group notified Don Pico's Restaurant of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Don Pico's Restaurant the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

1002. To date, Don Pico's Restaurant has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1003. According to USOR Site Records, in at least October 2005, Defendant Donut Time (“Donut Time”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 700 gallons of waste containing hazardous substances owned or possessed by Donut Time, at the USOR Site.

1004. The waste generated by Donut Time is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: acetone, benzene, chromium, copper, dichlorobenzene, dichloroethylene, lead, methylene chloride, trichloroethane, trichloroethylene and/or zinc.

1005. On certain occasions, Donut Time arranged with transporter Defendant Southern Discount Vacuum Service to transport Donut Time’s waste streams to the USOR Site.

1006. The waste streams generated by Donut Time fall within the definition of “solid waste” under the TSWDA.

1007. By letter dated August 14, 2015, the USOR Site PRP Group notified Donut Time of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Donut Time the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

1008. To date, Donut Time has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1009. According to USOR Site Records, in at least March 2006, Defendant The Downtown Club, Inc. (“Downtown Club”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at



least 1,600 gallons of waste containing hazardous substances owned or possessed by Downtown Club, at the USOR Site.

1010. The waste generated by Downtown Club is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: acetone, benzene, chromium, copper, dichlorobenzene, dichloroethylene, lead, methylene chloride, trichloroethane, trichloroethylene and/or zinc.

1011. On certain occasions, Downtown Club arranged with transporter Earth America, LLC to transport Downtown Club’s waste streams to the USOR Site.

1012. The waste streams generated by Downtown Club fall within the definition of “solid waste” under the TSWDA.

1013. By letter dated August 25, 2015, the USOR Site PRP Group notified Downtown Club of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Downtown Club the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

1014. To date, Downtown Club has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1015. According to USOR Site Records, in at least November 2005, Defendant Doyle’s Delicatessen, Inc. doing business as Doyle’s Restaurant (“Doyle’s Restaurant”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 385 gallons of waste containing hazardous substances owned or possessed by Doyle’s Restaurant, at the USOR Site.

1016. The waste generated by Doyle's Restaurant is described on USOR Site Records as "grease" and contained some or all of the following hazardous substances: acetone, benzene, chromium, copper, dichlorobenzene, dichloroethylene, lead, methylene chloride, trichloroethane, trichloroethylene and/or zinc.

1017. On certain occasions, Doyle's Restaurant arranged with transporter Defendant Consolidated Waste, LLC, doing business as Liquid Waste Solutions, to transport Doyle's Restaurant's waste streams to the USOR Site.

1018. The waste streams generated by Doyle's Restaurant fall within the definition of "solid waste" under the TSWDA.

1019. By letter dated August 25, 2015, the USOR Site PRP Group notified Doyle's Restaurant of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Doyle's Restaurant the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

1020. To date, Doyle's Restaurant has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1021. According to USOR Site Records from at least September 2003 to September 2005, Defendant Drane Ranger Vacuum Service ("Drane Ranger") accepted for transport to the USOR Site, and/or by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 243,744 gallons of waste containing hazardous substances owned or possessed by Drane Ranger, at the USOR Site.

1022. The waste streams generated by and/or transported by Drane Ranger are described on USOR Site Records as “grease,” “grit trap,” “grease trap,” “grit,” “lint trap,” “oil,” “septic” and “lint” and contained some or all of the following hazardous substances: acetone, cadmium, chromium, copper, dichloroethylene, lead, methyl ethyl ketone, methylene chloride, nickel, toluene, trichloroethane, trichloroethylene and/or zinc.

1023. On certain occasions, Drane Ranger transported its own waste streams to the USOR Site.

1024. The waste streams generated by Drane Ranger and/or transported to the USOR Site by Drane Ranger fall within the definition of “solid waste” under the TSWDA.

1025. By letters dated February 7, 2014 and April 24, 2015, the USOR Site PRP Group notified Drane Ranger of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Drane Ranger the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

1026. To date, Drane Ranger has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1027. According to USOR Site Records, from at least February 2006 to March 2006, Defendant Droubi’s Bakery & Deli, Inc. (“Droubi’s Bakery”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 60 gallons of waste containing hazardous substances owned or possessed by Droubi’s Bakery, at the USOR Site.

1028. The waste generated by Droubi's Bakery is described on USOR Site Records as "grease" and contained some or all of the following hazardous substances: acetone, benzene, chromium, copper, dichlorobenzene, dichloroethylene, lead, methylene chloride, trichloroethane, trichloroethylene and/or zinc.

1029. On certain occasions, Droubi's Bakery arranged with transporter Defendant Public Sanitary Works, Inc. to transport Droubi's Bakery's waste streams to the USOR Site.

1030. The waste streams generated by Droubi's Bakery fall within the definition of "solid waste" under the TSWDA.

1031. By letter dated August 25, 2015, the USOR Site PRP Group notified Droubi's Bakery of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Droubi's Bakery the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

1032. To date, Droubi's Bakery has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1033. According to USOR Site Records, in at least May 2005, Defendant Dual Trucking Inc. ("Dual Trucking") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 110 gallons of waste containing hazardous substances owned or possessed by Dual Trucking, at the USOR Site.

1034. The waste streams generated by Dual Trucking are described on USOR Site Records as "waste diesel mix w/ sealant" and contained some or all of the following hazardous

substances: acetone, benzene, chromium, ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes, zinc.

1035. On a certain occasion, Dual Trucking arranged with transporter Milstead Environmental to transport Dual Trucking's waste streams to the USOR Site.

1036. The waste streams generated by Dual Trucking fall within the definition of "solid waste" under the TSWDA.

1037. By letters dated December 5, 2013 and November 21, 2014, the USOR Site PRP Group notified Dual Trucking of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Dual Trucking the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

1038. To date, Dual Trucking has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1039. Defendant Durek Investments, Inc. ("Durek") is the successor to and/or is formerly known as Durek Property Management Inc. ("Durek Property").

1040. Upon information and belief, on or about October 2006, Durek Investments, Inc. acquired Durek Property Management Inc. as a going concern and thereafter continued the uninterrupted business activities of Durek Property. Durek retained certain employees and corporate personnel of Durek Property.

1041. According to USOR Site Records, in at least May 2006, Durek Property by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a

transporter for transport for disposal or treatment, at least 400 gallons of waste containing hazardous substances owned or possessed by Durek Property, at the USOR Site.

1042. The waste streams generated by Durek Property are described on USOR Site Records as “oil and water” and contained some or all of the following hazardous substances: asbestos, benzene, benzo(a)anthracene, benzo(a)pyrene, cadmium, cobalt, copper, cresol, ethyl benzene, fluorine, lead, manganese, nickel, perchloroethylene, phenanthrene, tin, toluene, trichloroethylene, xylenes and/or zinc.

1043. The waste streams generated by Durek Property fall within the definition of “solid waste” under the TSWDA.

1044. By letters dated December 5, 2013 and November 21, 2014, the USOR Site PRP Group notified Durek Property of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Durek Property the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

1045. To date, Durek has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1046. Defendant E-Transport Carriers, Inc. (“E-Transport”) was formerly known as Sunteck Transport Carriers, Inc. (“Sunteck”). According to filings with the Florida Secretary of State, the name was changed from Sunteck to E-Transport in 2011.

1047. According to USOR Site Records, in at least December 2007, Sunteck accepted at least 2,549 gallons of waste containing hazardous substances for transport to the USOR Site, which was selected by Sunteck.

1048. The waste streams Sunteck generated, transported and/or arranged for disposal are described on USOR Site Records as “Non Hazardous” and contained some or all of the following hazardous substances including but not limited to: acetone, benzene, chromium, ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or zinc.

1049. The waste streams Sunteck generated, transported to and/or arranged for disposal at the USOR Site fall within the definition of “solid waste” under the TSWDA.

1050. By letters dated December 5, 2013 and September 18, 2015, the USOR Site PRP Group notified Sunteck and E-Transport, respectively, of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Sunteck the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

1051. To date, E-Transport has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1052. According to USOR Site Records, from at least September 2007 to November 2008, Defendant E.S.R. Electronics, Inc. (“E.S.R. Electronics”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 4,216 gallons of waste containing hazardous substances owned or possessed by E.S.R. Electronics, at the USOR Site.

1053. The waste streams generated by E.S.R. Electronics were RCRA hazardous waste described on USOR Site Records as “corrosive liquid acidic, inorganic n.o.s. 8 UN3264 PG III.”

1054. On certain occasions, E.S.R. Electronics arranged with transporters Defendant Lighthouse Environmental Services, Inc. and Texas Waste Carriers to transport E.S.R. Electronics' waste streams to the USOR Site.

1055. The waste streams generated by E.S.R. Electronics fall within the definition of "solid waste" under the TSWDA.

1056. By letters dated December 5, 2013 and December 12, 2014, the USOR Site PRP Group notified E.S.R. Electronics of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered E.S.R. Electronics the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

1057. To date, E.S.R. Electronics has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1058. According to USOR Site Records, Defendant Eagle Construction and Environmental Services, LLC ("Eagle Construction"), doing business as SWS Environmental Services ("SWS"), accepted at least 266,824 gallons of waste containing hazardous substances for transport to the USOR Site, which was selected by Eagle Construction.

1059. Additionally, according to USOR Site Records, from at least September 2003 to November 2008, Eagle Construction by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment at least 5,167,094 gallons of waste containing hazardous substances for transport to the USOR Site.



1060. The waste Eagle Construction generated, transported and/or arranged for disposal is described on USOR Site Records as including but not limited to “acid alum,” “turbine compressor water,” “oily water” and “rinse water” and contained some or all of the following hazardous substances including but not limited to: acetone, benzene, cadmium, chromium, copper, lead, ethyl benzene, manganese, mercury, methanol, methyl ethyl ketone, methylene chloride, nickel, toluene, trichloroethane, xylenes and/or zinc.

1061. On certain occasions, Eagle Construction transported its own waste streams to the USOR Site.

1062. On other occasions Eagle Construction transported and/or arranged for disposal of waste streams generated by either Eagle Construction and/or including but not limited to Rescar, Sears Carpet & Upholstery, SKE Support Services, Pepper Lawson, Polyfoam Products, Kellogs Brown & Root and Calpine.

1063. The waste streams Eagle Construction generated, transported to and/or arranged for disposal at the USOR Site fall within the definition of “solid waste” under the TSWDA.

1064. By letters dated June 4, 2014 and April 24, 2015, the USOR Site PRP Group notified Eagle Construction of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Eagle Construction the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

1065. To date, Eagle Construction has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1066. According to USOR Site Records, from at least February to September 2004, Defendant Earth Material Services LLC (“Earth Material”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 2,100 gallons of waste containing hazardous substances owned or possessed by Earth Material, at the USOR Site.

1067. The waste streams generated by Earth Material are described on USOR Site Records as “water contaminated w/ diesel” and contained some or all of the following hazardous substances: acetone, benzene, chromium, ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes, zinc.

1068. On certain occasions, Earth Material arranged with transporter Eagle Construction to transport Earth Material’s waste streams to the USOR Site.

1069. The waste streams generated by Earth Material fall within the definition of “solid waste” under the TSWDA.

1070. By letters dated December 5, 2013 and December 12, 2014, the USOR Site PRP Group notified Earth Material of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Earth Material the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

1071. To date, Earth Material has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1072. According to USOR Site Records, in at least June 2005, Defendant Economic Environmental Services, Inc. (“Economic Environmental Services”) by contract, agreement, or

otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 800 gallons of waste containing hazardous substances owned or possessed by Economic Environmental Services, at the USOR Site.

1073. The waste streams Economic Environmental Services generated, transported to and/or arranged for disposal at the USOR Site fall within the definition of “solid waste” under the TSWDA.

1074. By letters dated December 5, 2013 and November 21, 2014, the USOR Site PRP Group notified Economic Environmental Services of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Economic Environmental Services the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

1075. To date, Economic Environmental Services has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1076. According to USOR Site Records, in at least October 2005, Defendant El Imperial Mexican Restaurants, Inc. doing business as El Imperial Mexican Restaurant (“El Imperial”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 500 gallons of waste containing hazardous substances owned or possessed by El Imperial, at the USOR Site.

1077. The waste generated by El Imperial is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: acetone, benzene,

chromium, copper, dichlorobenzene, dichloroethylene, lead, methylene chloride, trichloroethane, trichloroethylene and/or zinc.

1078. On certain occasions, El Imperial arranged with transporter Defendant Southern Discount Vacuum Service to transport El Imperial's waste streams to the USOR Site.

1079. The waste streams generated by El Imperial fall within the definition of "solid waste" under the TSWDA.

1080. By letter dated August 25, 2015, the USOR Site PRP Group notified El Imperial of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered El Imperial the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

1081. To date, El Imperial has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1082. According to USOR Site Records, in at least February 2006, Defendant El Papaturro ("El Papaturro") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 900 gallons of waste containing hazardous substances owned or possessed by El Papaturro, at the USOR Site.

1083. The waste generated by El Papaturro is described on USOR Site Records as "grease" and contained some or all of the following hazardous substances: acetone, benzene, chromium, copper, dichlorobenzene, dichloroethylene, lead, methylene chloride, trichloroethane, trichloroethylene and/or zinc.

1084. On certain occasions, El Papaturro arranged with transporter Defendant Public Sanitary Works, Inc. to transport El Papaturro's waste streams to the USOR Site.

1085. The waste streams generated by El Papaturro fall within the definition of "solid waste" under the TSWDA.

1086. By letter dated August 25, 2015, the USOR Site PRP Group notified El Papaturro of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered El Papaturro the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

1087. To date, El Papaturro has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1088. According to USOR Site Records, in at least November 2005, Defendant El Quetzal Bakery & Restaurant ("El Quetzal") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 1,200 gallons of waste containing hazardous substances owned or possessed by El Quetzal, at the USOR Site.

1089. The waste generated by El Quetzal is described on USOR Site Records as "grease" and contained some or all of the following hazardous substances: acetone, benzene, chromium, copper, dichlorobenzene, dichloroethylene, lead, methylene chloride, trichloroethane, trichloroethylene and/or zinc.

1090. On certain occasions, El Quetzal arranged with transporter Defendant Consolidated Waste, LLC, doing business as Liquid Waste Solutions, to transport El Quetzal's waste streams to the USOR Site.

1091. The waste streams generated by El Quetzal fall within the definition of “solid waste” under the TSWDA.

1092. By letter dated August 25, 2015, the USOR Site PRP Group notified El Quetzal of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered El Quetzal the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

1093. To date, El Quetzal has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1094. According to USOR Site Records, in at least March 2006, Defendant El Taquito Meat Market Inc. (“El Taquito”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 50 gallons of waste containing hazardous substances owned or possessed by El Taquito, at the USOR Site.

1095. The waste generated by El Taquito is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: acetone, benzene, chromium, copper, dichlorobenzene, dichloroethylene, lead, methylene chloride, trichloroethane, trichloroethylene and/or zinc.

1096. On certain occasions, El Taquito arranged with transporter Defendant Public Sanitary Works, Inc. to transport El Taquito’s waste streams to the USOR Site.

1097. The waste streams generated by El Taquito fall within the definition of “solid waste” under the TSWDA.

1098. By letter dated October 30, 2015, the USOR Site PRP Group notified El Taquito of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered El Taquito the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

1099. To date, El Taquito has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1100. According to USOR Site Records, in at least December 2005, Defendant Empire Restaurants, LP doing business as Empire Café ("Empire Café") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 1,700 gallons of waste containing hazardous substances owned or possessed by Empire Café, at the USOR Site.

1101. The waste generated by Empire Café is described on USOR Site Records as "grease" and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

1102. On certain occasions, Empire Café arranged with transporter Defendant Consolidated Waste, LLC, doing business as Liquid Waste Solutions, to transport Empire Café's waste streams to the USOR Site.

1103. The waste streams generated by Empire Café fall within the definition of "solid waste" under the TSWDA.

1104. By letter dated August 25, 2015, the USOR Site PRP Group notified Empire Café of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened

release of hazardous substances at the USOR Site; and offered Empire Café the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

1105. To date, Empire Café has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1106. According to USOR Site Records, in at least January 2004, Defendant Empire Truck Lines, Inc. ("Empire Truck") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 2,000 gallons of waste containing hazardous substances owned or possessed by Empire Truck, at the USOR Site.

1107. The waste streams generated by Empire Truck are described on USOR Site Records as "oil" and contained some or all of the following hazardous substances: acetone, benzene, chromium, ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes, zinc.

1108. On a certain occasions, Empire Truck arranged with transporter CES to transport Empire Truck's waste streams to the USOR Site.

1109. The waste streams generated by Empire Truck falls within the definition of "solid waste" under the TSWDA.

1110. By letter dated December 12, 2014, the USOR Site PRP Group notified Empire Truck of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Empire Truck the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.



1111. To date, Empire Truck has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1112. According to USOR Site Records, in at least March 2006, Defendant Enterprise Operating Company doing business as The St. James Restaurant & Cabaret (“St. James Restaurant”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 800 gallons of waste containing hazardous substances owned or possessed by St. James Restaurant, at the USOR Site.

1113. The waste generated by St. James Restaurant is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

1114. On certain occasions, St. James Restaurant arranged with transporter Earth America to transport St. James Restaurant’s waste streams to the USOR Site.

1115. The waste streams generated by St. James Restaurant fall within the definition of “solid waste” under the TSWDA.

1116. By letter dated September 18, 2015, the USOR Site PRP Group notified St. James Restaurant of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered St. James Restaurant the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

1117. To date, St. James Restaurant has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1118. According to USOR Site Records, from at least May 2004 to December 2008 Defendant Environmental Earth-Wise, Inc. (“EEW”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 1,003,599 gallons of waste containing hazardous substances owned or possessed by EEW, at the USOR Site.

1119. The waste streams EEW arranged for disposal are described on USOR Site Records as including but not limited to “oily water,” “wash water,” “non hazardous oily water emulsion mixture” and “organic solids (dirt & oil)” and contained some or all of the following hazardous substances including but not limited to: acetone, benzene, cadmium, chromium, copper, dichloroethylene, ethyl benzene, ethylene glycol, lead, manganese, mercury, methyl ethyl ketone, methylene chloride, nickel, toluene, trichloroethane, xylenes and/or zinc.

1120. The waste streams EEW arranged for disposal at the USOR Site were generated by including but not limited to International Paint, Tex Tube, Calgon Carbon, Rain for Rent, Oneok Hydrocarbons and A&M Contractors.

1121. The waste streams arranged for disposal at the USOR Site by EEW fall within the definition of “solid waste” under the TSWDA.

1122. By letter dated December 5, 2013, the USOR Site PRP Group notified EEW of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered EEW the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

1123. To date, EEW has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1124. According to USOR Site Records, from at least January 2004 to September 2006, Defendant Enviro-Vac, Ltd. (“Enviro-Vac”) accepted at least 12,561,931 gallons of waste containing hazardous substances for transport to the USOR Site, which was selected by Enviro-Vac.

1125. The waste streams transported by Enviro-Vac is described on USOR Site Records as, including but not limited to, “Very dilute Aqueous Waste containing more than 99% water,” “Caustic aqueous waste without cyanides (blow down water),” “organic,” “condensate,” “leachate (Non-Hazardous),” “other aqueous waste with low dissolved solids (waste water),” “Water and Aer-o-lite, (fire fighting foam and water),” and “Non-Hazardous Non-RCRA (Bilge Water)” and contained some or all of the following hazardous substances: acetone, benzene, chromium, ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or zinc.

1126. The waste streams Enviro-Vac transported to the USOR Site were generated by, including but not limited to, Western Seafood Water Reclamation, Western Waste of Texas LLC, Farouk Systems, Inc., Louisiana Pacific Corporation, Continental Airlines and LA Pacific.

1127. The waste streams transported to the USOR Site by Enviro-Vac fall within the definition of “solid waste” under the TSWDA.

1128. By letters dated June 4, 2014 and May 1, 2015, the USOR Site PRP Group notified Enviro-Vac of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Enviro-Vac the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

1129. To date, Enviro-Vac has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1130. According to USOR Site Records, from at least November 2003 to January 2007 Defendant Evergreen Environmental Services, LLC, doing business as Evergreen Industrial Services (“Evergreen Environmental”) accepted for transport to the USOR Site, which was selected by Evergreen Environmental, and/or by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment of waste owned or possessed by Evergreen Environmental, at least 464,904 gallons of waste containing hazardous substances at the USOR Site.

1131. The waste streams Evergreen Environmental generated, transported and/or arranged for disposal are described on USOR Site Records as including but not limited to “Non Regulated Waste Water” and contained some or all of the following hazardous substances including but not limited to: acetone, benzene, chromium, ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or zinc.

1132. On certain occasions, Evergreen Environmental transported and/or arranged for disposal of waste streams generated by either Evergreen Environmental and/or Valero.

1133. The waste streams Evergreen Environmental generated, transported to and/or arranged for disposal at the USOR Site fall within the definition of “solid waste” under the TSWDA.

1134. By letter dated June 4, 2014, the USOR Site PRP Group notified Evergreen Environmental of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Evergreen

Environmental the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

1135. To date, Evergreen Environmental has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1136. Alternatively, Defendant Environmental Disposal Solutions, Inc. ("Environmental Disposal") is formerly known as Evergreen Disposal Solutions Inc. ("Evergreen Disposal"), is the successor to Evergreen Industrial ("Evergreen Industrial") and Evergreen Vacuum ("Evergreen Vacuum") and is responsible for the waste streams attributable to Evergreen Environmental, as alleged in paragraph nos. 1130-1131 above.

1137. To date, Environmental Disposal has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1138. Alternatively, Defendant Evergreen Vacuum Service, LLC ("Evergreen Vacuum") is responsible for the waste streams attributable to Evergreen Environmental, as alleged in paragraph nos. 1130-1131 above.

1139. To date, Evergreen Vacuum has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1140. According to USOR Site Records, in at least June 2004, Defendants Esco Marine Inc. ("Esco Marine") and/or Resolve Marine Group, Inc. ("Resolve Marine") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 104,100 gallons of waste containing hazardous substances owned or possessed by Esco Marine and/or Resolve Marine, at the USOR Site.

1141. The waste streams generated by Esco Marine and Resolve Marine were RCRA hazardous waste described on USOR Site Records as “RQ Hazardous Waste Liquid, NOS, (Chromium), 9, NA3082 III.”

1142. Esco Marine and Resolve Marine arranged with transporter Midstate Environmental to transport Esco Marine and Resolve Marine’s waste streams to the USOR Site.

1143. The waste streams generated by Esco Marine and Resolve Marine fall within the definition of “solid waste” under the TSWDA.

1144. By letters dated February 7, 2014, the USOR Site PRP Group notified Esco Marine and Resolve Marine of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Esco Marine and Resolve Marine the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

1145. To date, both Esco Marine and Resolve Marine have refused to cooperate with the USOR Site PRP Group and have not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1146. According to USOR Site Records, in at least October 2005, Defendant Estes Express Lines (“Estes Express”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 3,000 gallons of waste containing hazardous substances owned or possessed by Estes Express, at the USOR Site.

1147. The waste streams generated by Estes Express are described on USOR Site Records as “Non-Regulated, Class 1 Liquid” and contained some or all of the following

hazardous substances: acetone, benzene, chromium, ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes, zinc.

1148. Estes Express arranged with transporters Eagle Construction and Texas Water Management to transport Estes Express' waste streams to the USOR Site.

1149. The waste streams generated by Estes Express falls within the definition of "solid waste" under the TSWDA.

1150. By letters dated December 5, 2013 and December 12, 2014, the USOR Site PRP Group notified Estes Express of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Estes Express the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

1151. To date, Estes Express has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1152. According to USOR Site Records, in at least October 2005, Defendant European Bakery Group, Inc. doing business as Ashcraft Bakery ("Ashcraft Bakery") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 400 gallons of waste containing hazardous substances owned or possessed by Ashcraft Bakery, at the USOR Site.

1153. The waste generated by Ashcraft Bakery is described on USOR Site Records as "grease" and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

1154. On certain occasions, Ashcraft Bakery arranged with transporter Defendant Public Sanitary Works, Inc. to transport Ashcraft Bakery's waste streams to the USOR Site.

1155. The waste streams generated by Ashcraft Bakery fall within the definition of "solid waste" under the TSWDA.

1156. By letter dated August 14, 2015, the USOR Site PRP Group notified Ashcraft Bakery of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Ashcraft Bakery the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

1157. To date, Ashcraft Bakery has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1158. Defendant Excel Industrial Group, LLC ("Excel Industrial") is the successor to Emergent Industrial Solutions, Inc. ("Emergent Industrial") and Gulf Coast Waste Management, Inc. ("Gulf Coast Waste").

1159. Gulf Coast Waste changed its name to Emergent Industrial in or about 2006, and Emergent Industrial converted to Emergent Industrial Solutions, LP in or about 2008.

1160. Upon information and belief, Excel Industrial has continued the uninterrupted business activities of Emergent Industrial Solutions, LP at the same location and retained employees and corporate personnel of Emergent Industrial Solutions, LP.

1161. According to USOR Site Records, from at least May 2006 to May 2007, Emergent Industrial by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 1,371,071



gallons of waste containing hazardous substances owned or possessed by Emergent Industrial, at the USOR Site.

1162. The waste streams Emergent Industrial arranged for disposal are described on USOR Site Records as including but not limited to “non hazardous, non regulated by DOT (class 1 waste water),” “oily wastewater from drum wash operations” and “oily waste water” and contained some or all of the following hazardous substances: acetone, benzene, chromium, ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or zinc.

1163. The waste streams Emergent Industrial arranged for disposal at the USOR Site were generated by and/or transported by including but not limited to American Acryl, Dan Loc, Delta Tubular, Grant Prideco, Metton America, P Chem, Stewart & Stevenson, Texas Arai, Defendant Tri-Star Protector Services Co., Tube Alloy, and West Texas Drum.

1164. The waste streams Emergent Industrial arranged for disposal at the USOR Site fall within the definition of “solid waste” under the TSWDA.

1165. According to USOR Site Records, from at least August 2003 to May 2006, Gulf Coast Waste accepted for transport to the USOR Site, which was selected by Gulf Coast Waste, and/or by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment of waste owned or possessed by Gulf Coast Waste, at least 935,626 gallons of waste containing hazardous substances at the USOR Site.

1166. The waste streams Gulf Coast Waste transported and/or arranged for disposal were RCRA hazardous waste described on USOR Site Records as “condensate water contaminated with benzene.”

1167. The waste Gulf Coast Waste transported and/or arranged for disposal is also described on USOR Site Records as including but not limited to “non regulated by DOT (class 1, waste water)” and contained some or all of the following hazardous substances: acetone, benzene, chromium, ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or zinc.

1168. On other occasions, the waste streams Gulf Coast Waste arranged for disposal at the USOR Site were generated by and/or transported by including but not limited to Baker Hughes, Cooper Energy, Dan-Loc, Delta Tubular, Evans Industries, Grant Prideco, Onyx Industrial Services, Inc., P Chem, Defendant Tri-Star Protector Services Co., and West Texas Drum.

1169. The waste streams Gulf Coast Waste arranged for disposal at the USOR Site fall within the definition of “solid waste” under the TSWDA.

1170. By letters dated February 7, 2014, the USOR Site PRP Group notified Gulf Coast Waste and Emergent Industrial of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Gulf Coast Waste and Emergent Industrial the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

1171. To date, Excel Industrial has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1172. According to USOR Site Records, in at least February 2006, Defendant Excellent Inc. doing business as Kwiks Top (“Kwiks Top”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or

treatment, at least 30 gallons of waste containing hazardous substances owned or possessed by Kwiks Top, at the USOR Site.

1173. The waste generated by Kwiks Top is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: acetone, arsenic, benzene, cadmium, chromium, dichloroethylene, lead, methyl ethyl ketone, methylene chloride, perchloroethylene, toluene, trichloroethane, trichloroethylene, vinyl chloride, xylenes and/or zinc.

1174. On certain occasions, Kwiks Top arranged with transporter Defendant Consolidated Waste, LLC, doing business as Liquid Waste Solutions, to transport Kwiks Top’s waste streams to the USOR Site.

1175. The waste streams generated by Kwiks Top fall within the definition of “solid waste” under the TSWDA.

1176. By letter dated October 30, 2015, the USOR Site PRP Group notified Kwiks Top of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Kwiks Top the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

1177. To date, Kwiks Top has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1178. According to USOR Site Records, in at least February 2004, Defendant FAM Marine Services, Inc. (“FAM Marine”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at

least 1,430 gallons of waste containing hazardous substances owned or possessed by FAM Marine, at the USOR Site.

1179. The waste streams generated by FAM Marine are described on USOR Site Records as “oily,” “oily water” and “oily rags” and contained some or all of the following hazardous substances: acetone, benzene, cadmium, chromium, copper, dichloroethylene, ethyl benzene, lead, manganese, methyl ethyl ketone, methylene chloride, nickel, toluene, trichloroethane, trichloroethylene, xylenes and/or zinc.

1180. FAM Marine arranged with transporter Turnerco to transport FAM Marine’s waste streams to the USOR Site.

1181. The waste streams generated by FAM Marine fall within the definition of “solid waste” under the TSWDA.

1182. By letter dated December 12, 2014, the USOR Site PRP Group notified FAM Marine of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered FAM Marine the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

1183. To date, FAM Marine has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1184. According to USOR Site Records, in at least January 2006, Defendant Famous Wok USA, Inc. (“Famous Wok”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 500 gallons of waste containing hazardous substances owned or possessed by Famous Wok, at the USOR Site.

1185. The waste generated by Famous Wok is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

1186. On certain occasions, Famous Wok arranged with transporter A-Affordable Vacuum to transport Famous Wok’s waste streams to the USOR Site.

1187. The waste streams generated by Famous Wok fall within the definition of “solid waste” under the TSWDA.

1188. By letter dated October 2, 2015, the USOR Site PRP Group notified Famous Wok of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Famous Wok the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

1189. To date, Famous Wok has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1190. According to USOR Site Records, from at least January 2004 to August 2006, Defendant Farouk Systems, Inc. (“Farouk Systems”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 1,609,935 gallons of waste containing hazardous substances owned or possessed by Farouk Systems, at the USOR Site.

1191. The waste streams generated and/or transported by Farouk Systems are described in USOR Site Records as “other aqueous waste with low dissolved solids (waste water)” and “organic” and contained some or all of the following hazardous substances: acetone, benzene,

cadmium, dichloroethylene, lead, methyl ethyl ketone, methylene chloride, perchloroethylene, toluene, trichloroethane, trichloroethylene, vinyl chloride, xylenes and/or zinc.

1192. On certain occasions, Farouk Systems also arranged with transporters including but not limited to HET Environmental, Envirovac, Gulf Coast and El Regio Vacuum to transport Farouk Systems' waste streams to the USOR Site.

1193. The waste streams generated by Farouk Systems fall within the definition of "solid waste" under the TSWDA.

1194. By letters dated December 5, 2013 and August 25, 2015, the USOR Site PRP Group notified Farouk Systems of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Farouk Systems the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

1195. To date, Farouk Systems has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1196. According to USOR Site Records, in at least March 2006, Defendant Farrell Wings, Inc. doing business as Wings N' Things ("Farrell Wings") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 800 gallons of waste containing hazardous substances owned or possessed by Farrell Wings, at the USOR Site.

1197. The waste generated by Farrell Wings is described on USOR Site Records as "grease" and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

1198. On certain occasions, Farrell Wings arranged with transporter Defendant Southern Discount Vacuum Service to transport Farrell Wings' waste streams to the USOR Site.

1199. The waste streams generated by Farrell Wings fall within the definition of "solid waste" under the TSWDA.

1200. By letter dated September 4, 2015, the USOR Site PRP Group notified Farrell Wings of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Farrell Wings the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

1201. To date, Farrell Wings has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1202. According to USOR Site Records, in at least March 2006, Defendant 59 Diner ("59 Diner") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 300 gallons of waste containing hazardous substances owned or possessed by 59 Diner, at the USOR Site.

1203. The waste generated by 59 Diner is described on USOR Site Records as "grease" and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

1204. On certain occasions, 59 Diner arranged with transporter Earth America to transport 59 Diner's waste streams to the USOR Site.

1205. The waste streams generated by 59 Diner fall within the definition of "solid waste" under the TSWDA.

1206. By letter dated August 25, 2015, the USOR Site PRP Group notified 59 Diner of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered 59 Diner the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

1207. To date, 59 Diner has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1208. According to USOR Site Records, from at least May 2004 to June 2006, Defendant Firebird Bulk Carriers, Inc. ("Firebird") accepted at least 598,325 gallons of waste containing hazardous substances for transport to the USOR Site, which was selected by Firebird.

1209. The waste streams transported by Firebird were RCRA hazardous waste described on USOR Site Records as "waste corrosive liquid, inorganic, N.O.S., 8/UN 3225/ PGIII."

1210. The waste transported by Firebird is also described on USOR Site Records as including but not limited to "non hazardous/non regulated liquid (bio sludge)," "other inorganic sludges (tank bottom slurry)," "rainwater runoff" and "Regular Plant Waste Water" and contained some or all of the following hazardous substances: acetone, benzene, chromium, cobalt, copper, ethyl benzene, lead, manganese, methyl ethyl ketone, nickel, perchloroethylene, toluene, trichloroethane, vinyl chloride, xylenes and/or zinc.

1211. The waste streams Firebird transported to the USOR Site were generated by including but not limited to Channel Shipyard Inc., ProWaste, Inc., Champion Technologies, Contractor Technology and Pilot Industries of Houston.

1212. The waste streams transported to the USOR Site by Firebird fall within the definition of "solid waste" under the TSWDA.



1213. To date, Firebird has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1214. Defendant Fired Up, Inc. (“Fired Up”) is the owner and franchisor of Johnny Carino’s (“Johnny Carino’s”).

1215. According to USOR Site Records, from at least October 2005 to March 2006, Johnny Carino’s by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 4,000 gallons of waste containing hazardous substances owned or possessed by Johnny Carino’s, at the USOR Site.

1216. The waste generated by Johnny Carino’s is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

1217. On certain occasions, Johnny Carino’s arranged with transporter Earth America, LLC to transport Johnny Carinos’ waste streams to the USOR Site.

1218. The waste streams generated by Johnny Carino’s fall within the definition of “solid waste” under the TSWDA.

1219. By letter dated September 4, 2015, the USOR Site PRP Group notified Fired Up of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Fired Up the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

1220. To date, Fired Up has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1221. According to USOR Site Records, from at least May 2004 to March 2006, Defendant Flan Ex Transportation (“Flan Ex Transportation”) accepted at least 6,612 gallons of waste containing hazardous substances for transport to the USOR Site, which was selected by Flan Ex Transportation.

1222. The waste streams transported by Flan Ex Transportation were RCRA hazardous waste described on USOR Site Records as “LIN 3501/Universal Paint Waste,” “Universal Paint Waste, 3, UN1263, II” and “Universal Paint Waste.”

1223. The waste streams transported by Flan Ex Transportation are also described on USOR Site Records as including but not limited to “non hazardous non regulated liquid (scaltite concrete cure)” and “Non Hazardous Non Regulated Material” and contained some or all of the following hazardous substances: acetone, benzene, chromium, cobalt, copper, ethyl benzene, lead, manganese, methyl ethyl ketone, nickel, perchloroethylene, toluene, trichloroethane, vinyl chloride, xylenes and/or zinc.

1224. The waste streams Flan Ex Transportation transported to the USOR Site were generated by including but not limited to Borden, Inc., Wing Aviation, OCCP South Coatings and Transwestern.

1225. The waste streams transported to the USOR Site by Flan Ex Transportation fall within the definition of “solid waste” under the TSWDA.

1226. By letter dated December 12, 2014, the USOR Site PRP Group notified Flan Ex Transportation of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Flan Ex Transportation the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

1227. To date, Flan Ex Transportation has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1228. According to USOR Site Records, from at least January 2004 to February 2009, Defendant Flex Oil Service, LLC (“Flex Oil”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 1,051,877 gallons of waste containing hazardous substances owned or possessed by Flex Oil, at the USOR Site.

1229. The waste streams generated by Flex Oil are described on USOR Site Records as including but not limited to “used fuel oil,” “Drums of axle grease,” “oil,” “oily water,” “oily pads,” “floor dry,” “oily filters” and “grease drums – non-hazardous” and contained some or all of the following hazardous substances: acetone, benzene, chromium, copper, lead, ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or zinc.

1230. On certain occasions, Flex Oil transported its own waste streams to the USOR Site.

1231. By letter dated February 7, 2014, the USOR Site PRP Group notified Flex Oil of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Flex Oil the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

1232. To date, Flex Oil has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1233. According to USOR Site Records, in at least November 2009, Defendant Fluid Sealing Products, Inc. (“Fluid Sealing”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 1,000 gallons of waste containing hazardous substances owned or possessed by Fluid Sealing, at the USOR Site.

1234. The waste streams generated by Fluid Sealing are described on USOR Site Records as “Non-RCRA Non-Hazardous (Phosphate Solution and Cleaner)” and contained some or all of the following hazardous substances: acetone, barium, benzene, chromium, copper, dichlorobenzene, dichloroethylene, lead, methylene chloride, methyl ethyl ketone, toluene, trichloroethane, trichloroethylene, xylenes and/or zinc.

1235. Fluid Sealing arranged with transporter Intra Services Waste Transport to transport Fluid Sealing’s waste streams to the USOR Site.

1236. The waste streams generated by Fluid Sealing falls within the definition of “solid waste” under the TSWDA.

1237. By letters dated December 5, 2013 and November 21, 2014, the USOR Site PRP Group notified Fluid Sealing of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Fluid Sealing the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

1238. To date, Fluid Sealing has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1239. According to USOR Site Records, from at least April 2005 to August 2007, Defendant Formosa Plastics Corp., U.S.A. (“Formosa Plastics”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 45,799 gallons of waste containing hazardous substances owned or possessed by Formosa Plastics, at the USOR Site.

1240. The waste streams generated by Formosa Plastics were RCRA hazardous waste described on USOR Site Records as “hexane,” “Hexane/Water/Oligimer” and “RQ Waste Flammable Liquids, n.o.s. (Hexane), 3, 1993, PGI, EAG 128.”

1241. The waste streams generated by Formosa Plastics are also described on USOR Site Records as “organic,” “oily water” and “settled solids” and contained some or all of the following hazardous substances: acetone, copper, dichloroethylene, lead, methyl ethyl ketone, toluene and/or xylenes.

1242. On certain occasions, Formosa Plastics arranged with transporters Bealine Service Co., Inc. and Tideport Distributing, Inc. to transport Formosa Plastics’ waste streams to the USOR Site.

1243. The waste streams generated by Formosa Plastics fall within the definition of “solid waste” under the TSWDA.

1244. By letters dated December 5, 2013 and January 8, 2016, the USOR Site PRP Group notified Formosa Plastics of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Formosa Plastics the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

1245. To date, Formosa Plastics has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1246. According to USOR Site Records, in at least March 2006, 4-Corners BBQ (“4-Corners BBQ”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 20 gallons of waste containing hazardous substances owned or possessed by 4-Corners BBQ, at the USOR Site.

1247. The waste generated by 4-Corners BBQ is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

1248. On certain occasions, 4-Corners BBQ arranged with transporter Defendant Southern Discount Vacuum Service to transport 4-Corners BBQ’s waste streams to the USOR Site.

1249. The waste streams generated by 4-Corners BBQ fall within the definition of “solid waste” under the TSWDA.

1250. By letter dated August 14, 2015, the USOR Site PRP Group notified 4-Corners BBQ of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered 4-Corners BBQ the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

1251. To date, 4-Corners BBQ has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1252. According to USOR Site Records, in at least February 2006, Defendant Four Seasons Hotel Houston (“Four Seasons”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 3,000 gallons of waste containing hazardous substances owned or possessed by Four Seasons, at the USOR Site.

1253. The waste generated by Four Seasons is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, methyl ethyl ketone, methylene chloride, molybdenum, nickel, selenium, trichloroethane, trichloroethylene and/or zinc.

1254. On certain occasions, Four Seasons arranged with transporter Defendant Consolidated Waste, LLC, doing business as Liquid Waste Solutions, to transport Four Seasons’ waste streams to the USOR Site.

1255. The waste streams generated by Four Seasons fall within the definition of “solid waste” under the TSWDA.

1256. By letter dated October 30, 2015, the USOR Site PRP Group notified Four Seasons of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Four Seasons the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

1257. To date, Four Seasons has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1258. According to USOR Site Records, from at least February 2006 to March 2006, Defendant Frank’s Grill (“Frank’s Grill”) by contract, agreement, or otherwise arranged for

disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 810 gallons of waste containing hazardous substances owned or possessed by Frank's Grill, at the USOR Site.

1259. The waste generated by Frank's Grill is described on USOR Site Records as "grease" and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

1260. On certain occasions, Frank's Grill arranged with transporter Defendant Public Sanitary Works, Inc. to transport Frank's Grill waste streams to the USOR Site.

1261. The waste streams generated by Frank's Grill fall within the definition of "solid waste" under the TSWDA.

1262. By letter dated August 25, 2015, the USOR Site PRP Group notified Frank's Grill of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Frank's Grill the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

1263. To date, Frank's Grill has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1264. According to USOR Site Records, in at least October 2003, Defendant Fulton Washateria ("Fulton Washateria") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 280 gallons of waste containing hazardous substances owned or possessed by Fulton Washateria, at the USOR Site.



1265. The waste generated by Fulton Washateria is described on USOR Site Records as “lint” and contained some or all of the following hazardous substances: perchloroethylene, toluene, trichloroethane and/or xylenes.

1266. On certain occasions, Fulton Washateria arranged with transporter Defendant Betos Hydro and Sanitation, also known as Blackhawk Co., to transport Fulton Washateria’s waste streams to the USOR Site.

1267. The waste streams generated by Fulton Washateria fall within the definition of “solid waste” under the TSWDA.

1268. By letter dated August 25, 2015, the USOR Site PRP Group notified Fulton Washateria of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Fulton Washateria the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

1269. To date, Fulton Washateria has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1270. According to USOR Site Records, from at least January 2006 to March 2006, Defendant G. Torres Inc. doing business as La Tapatia Taqueria Mexican Cafe (“La Tapatia”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 3,600 gallons of waste containing hazardous substances owned or possessed by La Tapatia, at the USOR Site.

1271. The waste generated by La Tapatia is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

1272. On certain occasions, La Tapatia arranged with transporter A-Affordable Vacuum Services to transport La Tapatia’s waste streams to the USOR Site.

1273. The waste streams generated by La Tapatia fall within the definition of “solid waste” under the TSWDA.

1274. By letter dated October 2, 2015, the USOR Site PRP Group notified La Tapatia of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered La Tapatia the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

1275. To date, La Tapatia has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1276. According to USOR Site Records, from at least February 2004 to April 2009, Defendant Gator Environmental & Rentals, Inc. (“Gator Environmental”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 4,671,237 gallons of waste containing hazardous substances owned or possessed by Gator Environmental, at the USOR Site.

1277. The waste streams generated and/or transported by Gator Environmental were RCRA hazardous waste described on USOR Site Records as including but not limited to “Waste Corrosive Liquid, Inorganic, NOS 8, UN3225, PGIII,” “Hazardous Wastewater n.o.s. RQ, 3, NA 1993, PGIII” and “Hazardous Waste Solids, N.O.S., 9 NA 3077 III, (Benzene), RQ.”

1278. The waste streams generated by Gator Environmental are also described on USOR Site Records as including by not limited to “grease,” “Non-Hazardous Wastewater” and “organic” and contained at least but not limited to some or all of the following hazardous substances: acetone, benzene, chromium, ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or zinc.

1279. On certain occasions, Gator Environmental arranged with transporter LWS to transport Gator Environmental’s waste stream to the USOR Site.

1280. On other occasions, Gator Environmental transported its own waste streams to the USOR Site.

1281. The waste streams Gator Environmental arranged for disposal and/or transported to the USOR Site were generated by including but not limited to Bradero Price, Pilot Industries of Texas, Explorer Pipeline, American Springwire, Blentech Corp., Southwest Shipyard L.P. and Champion Technologies.

1282. The waste streams Gator Environmental generated, transported to and/or arranged for disposal at the USOR Site fall within the definition of “solid waste” under the TSWDA.

1283. By letters dated June 4, 2014 and November 5, 2015, the USOR Site PRP Group notified Gator Environmental of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Gator Environmental the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

1284. To date, Gator Environmental has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1285. According to USOR Site Records, in at least February 2006, Defendant Gator Junction Inc. doing business as Gator Junction BBQ (“Gator Junction”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 500 gallons of waste containing hazardous substances owned or possessed by Gator Junction, at the USOR Site.

1286. The waste generated by Gator Junction is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

1287. On certain occasions, Gator Junction arranged with transporter Defendant A-Vac Septic Service, L.L.C. to transport Gator Junction’s waste streams to the USOR Site.

1288. The waste streams generated by Gator Junction fall within the definition of “solid waste” under the TSWDA.

1289. By letter dated August 25, 2015, the USOR Site PRP Group notified Gator Junction of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Gator Junction the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

1290. To date, Gator Junction has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1291. According to USOR Site Records, in at least March 2006, Defendant George's Pizzeria & Italian Cuisine ("George's Pizzeria") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 30 gallons of waste containing hazardous substances owned or possessed by George's Pizzeria, at the USOR Site.

1292. The waste generated by George's Pizzeria is described on USOR Site Records as "grease" and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

1293. On certain occasions, George's Pizzeria arranged with transporter Defendant Public Sanitary Works, Inc. to transport George Pizzeria's waste streams to the USOR Site.

1294. The waste streams generated by George's Pizzeria & Italian Cuisine fall within the definition of "solid waste" under the TSWDA.

1295. By letter dated October 30, 2015, the USOR Site PRP Group notified George's Pizzeria of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered George's Pizzeria the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

1296. To date, George's Pizzeria has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1297. According to USOR Site Records, in at least February 2006, Defendant Gerardo's Drive Inn Grocery ("Gerardo's Grocery") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at

least 700 gallons of waste containing hazardous substances owned or possessed by Gerardo's Grocery, at the USOR Site.

1298. The waste generated by Gerardo's Grocery is described on USOR Site Records as "grease" and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

1299. On certain occasions, Gerardo's Grocery arranged with transporter A-Affordable Vacuum Services to transport Gerardo's Grocery's waste streams to the USOR Site.

1300. The waste streams generated by Gerardo's Grocery fall within the definition of "solid waste" under the TSWDA.

1301. By letter dated August 25, 2015, the USOR Site PRP Group notified Gerardo's Grocery of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Gerardo's Grocery the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

1302. To date, Gerardo's Grocery has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1303. According to USOR Site Records, from at least January to June 2004, Defendant Gillman, Inc. doing business as Gillman Honda ("Gillman Honda") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 17,390 gallons of waste containing hazardous substances owned or possessed by Gillman Honda, at the USOR Site.

1304. The waste streams generated by Gillman Honda are described on USOR Site Records as “oil,” “oily water” and “organic” and contained some or all of the following hazardous substances: acetone, benzene, chromium, ethyl benzene, manganese, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or zinc.

1305. On certain occasions, Gillman Honda arranged with transporters Eagle Construction and GCR to transport Gillman Honda’s waste streams to the USOR Site.

1306. The waste streams generated by Gillman Honda fall within the definition of “solid waste” under the TSWDA.

1307. By letters dated December 5, 2013 and December 19, 2014, the USOR Site PRP Group notified Gillman Honda of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Gillman Honda the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

1308. To date, Gillman Honda has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1309. According to USOR Site Records, in at least June 2004, Defendant Go West Fabricators & Rig Star, Inc. (“Go West Fabricators”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 2,800 gallons of waste containing hazardous substances owned or possessed by Go West Fabricators, at the USOR Site.

1310. Go West Fabricators arranged with transporter Oil Mop, LLC to transport Go West Fabricators’ waste streams to the USOR Site.

1311. The waste streams generated by Go West Fabricators fall within the definition of “solid waste” under the TSWDA.

1312. By letter dated December 12, 2014, the USOR Site PRP Group notified Go West Fabricators of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Go West Fabricators the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

1313. To date, Go West Fabricators has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1314. Alternatively, Defendant DREFCO, Inc. (“DREFCO”) doing business as Go West Fabricators is responsible for the waste streams attributable to Go West Fabricators, as alleged in paragraph no. 1309 above.

1315. By letter dated September 18, 2015, the USOR Site PRP Group notified DREFCO of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered DREFCO the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

1316. To date, DREFCO has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1317. According to USOR Site Records, from at least October 2003 to February 2006, Defendant Golden Opportunity Recycling Service (“Golden Opportunity”) accepted for transport to the USOR Site, which was selected by Golden Opportunity, and/or by contract, agreement, or



otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment of waste owned or possessed by Golden Opportunity, at least 19,000 gallons of waste containing hazardous substances at the USOR Site.

1318. The waste streams Golden Opportunity transported to and/or arranged for disposal at the USOR Site are described on USOR Site Records as “oily water” and contained some or all of the following hazardous substances: acetone, benzene, chromium, ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or zinc.

1319. On certain occasions, Golden Opportunity transported its own waste streams to the USOR Site.

1320. The waste streams Golden Opportunity transported to and/or arranged for disposal at the USOR Site fall within the definition of “solid waste” under the TSWDA.

1321. By letter dated December 5, 2013, the USOR Site PRP Group notified Golden Opportunity of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Golden Opportunity the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

1322. To date, Golden Opportunity has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1323. According to USOR Site Records, from at least October 2005 to January 2006, Defendant Golden Seafood House (“Golden Seafood”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or

treatment, at least 5,000 gallons of waste containing hazardous substances owned or possessed by Golden Seafood, at the USOR Site.

1324. The waste generated by Golden Seafood is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

1325. On certain occasions, Golden Seafood arranged with transporter Defendant Consolidated Waste, LLC, doing business as Liquid Waste Solutions, to transport Golden Seafood’s waste streams to the USOR Site.

1326. The waste streams generated by Golden Seafood fall within the definition of “solid waste” under the TSWDA.

1327. By letter dated October 30, 2015, the USOR Site PRP Group notified Golden Seafood of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Golden Seafood the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

1328. To date, Golden Seafood has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1329. According to USOR Site Records, from at least December 2003 to March 2010, Defendant Goodgames Industrial Solutions, LLC (“GIS”) accepted for transport to the USOR Site, which was selected by GIS, and/or by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment of waste owned or possessed by GIS, at least 6,414,274 gallons of waste containing hazardous substances at the USOR Site.

1330. On certain occasions, the waste streams GIS generated, transported and/or arranged for disposal were RCRA hazardous waste described on USOR Site Records as “haz STF water,” “N.O.S. (contains sodium hydroxide) 8 UN1750 II,” “N.O.S. (contains sodium hydroxide) 8 UN1760 II,” “N.O.S. (fluorosilicic [sic] acid) 8 UN 3264 I,” “haz STF wash water,” “fluorosilicic [sic] acid,” “waste corrosive liquid,” “acidic inorganic N.O.S. (fluorosilicic [sic] acid) 8 (UN3284) I,” “hazardous waste liquid, N.O.S. (benzene) 9 NA 3082 PG III,” “PO # C1071-DD,” “haz. [sic] tetra fluoride[sic] water,” “STF water (low PH),” “hazardous waste water,” “waste flammable liquid NOS, # UN1993,” “hazardous water (benzene),” “waste sodium hydroxide solution,” “sodium hydroxide solution,” “fluorosilicic [sic] acid,” “benzene cont. [sic] water D018,” “non seg haz [sic] waste water,” “caustic cleaning solution,” “flammable NOS (sodium silicate, toluene) 8 UN 2929 PG II,” “hazardous [sic] waste liquid,” “inorganic, waste corrosive liquid,” “sodium hydroxide,” “freebaking biodiesel water and oily caustic solution,” “waste sodium hydroxide solution,” “STF water,” “sodium silicate solutions,” “acidic, inorganic NOS (hydrofluoric acid) 8 UN 3264,” “tetra fluoride water,” “waste flammable liquid,” “NOS (sodium silicate toluene) 8 UN2920 PGII,” “NOS (hydrofluoric acid) 8 UN 3264,” “haz amine wash water,” “hazardous waste” and “DPME & TPME tank material, class I haz.”

1331. On certain occasions, the waste streams GIS generated, transported and/or arranged for disposal are described on USOR Site Records as “transmix,” “organic contaminated water,” “biodiesel water,” “spent sulphuric acid,” “hydrocarbon washwater,” “non hazardous washwater,” “amine wash water,” “contaminated rinse water,” “sump sludge,” “good oil,” “non-hazardous waste water,” “carbon black oily water,” “oil and water emulsion,” “non haz non regulated washwater (carbon black oily water),” “non regulated waste water,” “wastewater non-hazardous,” “non-hazardous hydrocarbon wash water,” “bio diesel slop,” “used oil fuel,” “oil

content,” “oil,” “oil fuel,” “barge cleaning contact water,” “non hazardous non regulated oily debris,” “class 2 non hazardous, non regulated waste water,” “metal contaminated waste water,” “oil/water mixture” and “oily water mix” and contained some or all of the following hazardous substances: acetone, asbestos, barium, benzene, benzo(a)anthracene, benzo(a)pyrene, cadmium, chromium, cobalt copper, cresol, dichlorobenzene, dichloroethylene, ethyl benzene, lead, manganese, methylene chloride, methyl ethyl ketone, molybdenum, nickel, , perchloroethylene, phenanthrene, selenium, silver, tin, toluene, trichloroethane, trichloroethylene, vinyl chloride, xylenes and/or zinc.

1332. On certain occasions, GIS transported and/or arranged for disposal of waste streams generated by Alvin Chemical, Defendant Coach USA, Inc., Defendant Cole Chemical & Distributing, Inc., Dow Halterman, Custom Processing, Global Octanes, Halterman Custom Processing Plant 2, Houston Dynamics, Houston Unlimited, Hoyer Global, LBC Baton Rouge, LBC Houston, MEMC Electronic Materials, Inc., MEMC Pasadena, Inc., Defendant Oil Patch Transportation, Inc., Oneok Hydrocarbon, Raywood Gas Plant, Southwest Shipyard, Stolthaven Houston, Inc., Texas Petrochemicals, TT Barge Services, Westway Terminal Co. LLC, VLS Recovery, Vopak Terminal Galena Park and Winn Fuel at the USOR Site.

1333. The waste streams GIS generated, transported to and/or arranged for disposal at the USOR Site fall within the definition of “solid waste” under the TSWDA.

1334. GIS entered into a series of tolling agreements with the USOR PRP Group, which tolled all applicable statutes of limitation from August 1, 2014 through the date of this Second Amended Complaint.

1335. To date, GIS has refused to cooperate with the USOR Site PRP Group and has not paid its equitable share of response costs incurred by the USOR Site PRP Group at the USOR Site.

1336. According to USOR Site Records, in at least February 2006, Defendant Gorham Export Packing, LLC (“Gorham Packing”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 1,500 gallons of waste containing hazardous substances owned or possessed by Gorham Packing, at the USOR Site.

1337. The waste generated by Gorham Packing is described on USOR Site Records as “grit” and contained some or all of the following hazardous substances: acetone, benzene, chromium, ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or zinc.

1338. On certain occasions, Gorham Packing arranged with transporter A-Affordable Vacuum Services to transport Gorham Packing’s waste streams to the USOR Site.

1339. The waste streams generated by Gorham Packing fall within the definition of “solid waste” under the TSWDA.

1340. By letter dated August 25, 2015, the USOR Site PRP Group notified Gorham Packing of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Gorham Packing the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

1341. To date, Gorham Packing has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1342. According to USOR Site Records, in at least October 2004, Defendant Grand Parkway Doctors Center (“Grand Parkway Doctors”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 100 gallons of waste containing hazardous substances owned or possessed by Grand Parkway Doctors, at the USOR Site.

1343. The waste streams generated by Grand Parkway Doctors are described on USOR Site Records as “oily water” and contained some or all of the following hazardous substances: acetone, benzene, chromium, ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or zinc.

1344. Grand Parkway Doctors arranged with transporter Defendant Specialized Maintenance Services, Inc. to transport Grand Parkway Doctors’ waste streams to the USOR Site.

1345. The waste streams generated by Grand Parkway Doctors fall within the definition of “solid waste” under the TSWDA.

1346. By letters dated December 5, 2013 and November 21, 2014, the USOR Site PRP Group notified Grand Parkway Doctors of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Grand Parkway Doctors the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

1347. To date, Grand Parkway Doctors has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1348. According to USOR Site Records, from at least February 2004 to October 2007, Defendant Grease Recyclers Co-op (“Grease Recyclers”) accepted for accepted for transport to the USOR Site, which was selected by Grease Recyclers, and/or by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment of waste owned or possessed by Grease Recyclers, at least 833,000 gallons of waste containing hazardous substances at the USOR Site.

1349. The waste streams Grease Recyclers transported to and/or arranged for disposal at the USOR Site are described on USOR Site Records as “organic,” “oily water,” and “grease bottoms” and contained some or all of the following hazardous substances: acetone, benzene, chromium, copper, dichlorobenzene, dichloroethylene, ethyl benzene, lead, manganese, methyl ethyl ketone, methylene chloride, nickel, toluene, trichloroethane, trichloroethylene, xylenes and/or zinc.

1350. On certain occasions, Grease Recyclers transported its own waste streams to the USOR Site.

1351. The waste streams generated by Grease Recyclers fall within the definition of “solid waste” under the TSWDA.

1352. To date, Grease Recyclers has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1353. According to USOR Site Records, in at least July 2008 to February 2009, Defendant GreenHunter Biofuels, Inc. (“GreenHunter Biofuels”) by contract, agreement, or

otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 96,300 gallons of waste containing hazardous substances owned or possessed by GreenHunter Biofuels, at the USOR Site.

1354. The waste streams generated by GreenHunter Biofuels are described on USOR Site Records as “non-RCRA non-hazardous (oily water),” “spill cleanup waste water,” “non-hazardous low aqueous waste with low dissolved solid,” “sump water,” “recyclable contaminated bio-diesel,” and contained some or all of the following hazardous substances: acetone, benzene, chromium, ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or zinc.

1355. On certain occasions, GreenHunter Biofuels arranged with transporters Defendant MTI Environmental LLC and US Oil Recovery to transport GreenHunter Biofuels’ waste streams to the USOR Site.

1356. The waste streams generated by GreenHunter Biofuels fall within the definition of “solid waste” under the TSWDA.

1357. By letter dated December 5, 2013, the USOR Site PRP Group notified GreenHunter Biofuels of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered GreenHunter Biofuels the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

1358. To date, GreenHunter Biofuels has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.



1359. Alternatively, Defendant GreenHunter Resources, Inc. (“GreenHunter Resources”) is the successor to GreenHunter Biofuels and is responsible for the waste streams attributable to GreenHunter Biofuels, as alleged in paragraph nos. 1353-1354 above.

1360. By letter dated February 27, 2015, the USOR Site PRP Group notified GreenHunter Resources of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered GreenHunter Resources the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

1361. To date, GreenHunter Resources has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1362. According to USOR Site Records, in at least February 2006, Defendant Grisby’s, Inc. (“Grisby’s”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 20 gallons of waste containing hazardous substances owned or possessed by Grisby’s, at the USOR Site.

1363. The waste generated by Grisby’s is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

1364. On certain occasions, Grisby’s arranged with transporter Defendant Public Sanitary Works, Inc. to transport Grisby’s’ waste streams to the USOR Site.

1365. The waste streams generated by Grisby’s fall within the definition of “solid waste” under the TSWDA.

1366. By letter dated September 25, 2015, the USOR Site PRP Group notified Grisby's of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Grisby's the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

1367. To date, Grisby's has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1368. According to USOR Site Records, in at least March 2006, Defendant Gruma Corporation doing business as Mission Foods Corp. ("Gruma") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 3,000 gallons of waste containing hazardous substances owned or possessed by Gruma, at the USOR Site.

1369. The waste generated by Gruma is described on USOR Site Records as "grease" and contained some or all of the following hazardous substances: acetone, benzene, chromium, copper, dichlorobenzene, dichloroethylene, lead, methylene chloride, trichloroethane, trichloroethylene and/or zinc.

1370. On certain occasions, Gruma arranged with transporter A-Affordable Vacuum Services to transport Gruma's waste streams to the USOR Site.

1371. The waste streams generated by Gruma fall within the definition of "solid waste" under the TSWDA.

1372. By letter dated September 18, 2015, the USOR Site PRP Group notified Gruma of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened

release of hazardous substances at the USOR Site; and offered Gruma the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

1373. To date, Gruma has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1374. According to USOR Site Records, in at least March 2006, Defendant Quad. No. 4-Fountains, Ltd. doing business as Guadalajara Hacienda ("Guadalajara Hacienda") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 450 gallons of waste containing hazardous substances owned or possessed by Guadalajara Hacienda, at the USOR Site.

1375. The waste generated by Guadalajara Hacienda is described on USOR Site Records as "grease" and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

1376. On certain occasions, Guadalajara Hacienda arranged with transporter Defendant Public Sanitary Works, Inc. to transport Guadalajara Hacienda's waste streams to the USOR Site.

1377. The waste streams generated by Guadalajara Hacienda all within the definition of "solid waste" under the TSWDA.

1378. By letter dated October 2, 2015, the USOR Site PRP Group notified Guadalajara Hacienda of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Guadalajara Hacienda the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

1379. To date, Guadalajara Hacienda has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1380. Alternatively, Defendant El Palenque Mexican Restaurant and Cantina, Inc. doing business as Fiesta En Guadalajara (“Fiesta En Guadalajara”) is responsible for the waste streams attributable to Guadalajara Hacienda, as alleged in paragraph nos. 1374-1375 above.

1381. To date, Fiesta En Guadalajara has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1382. According to USOR Site Records, from at least July 2004 to October 2007, Defendant Gulbrandsen Technologies Inc. (“Gulbrandsen”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment of waste owned or possessed by Gulbrandsen, at least 932,400 gallons of waste containing hazardous substances at the USOR Site.

1383. The waste streams Gulbrandsen generated, transported and/or arranged for disposal are described on USOR Site Records as “storm water,” “class II first flush storm waste water,” “non-hazardous class II sludge, aluminum hydroxide,” and “non-hazardous class II flush storm water, non-regulated,” and contained some or all of the following hazardous substances: acetone, barium, chromium, copper, dichloromethane, lead, manganese, methyl ethyl ketone, nickel, perchloroethylene, toluene, trichloroethane, trichloroethylene, xylenes and/or zinc.

1384. On other occasions, Gulbrandsen transported and/or arranged for disposal of waste streams generated by Defendant Gator Environmental & Rentals.

1385. The waste streams Gulbrandsen transported to and/or arranged for disposal at the USOR Site fall within the definition of “solid waste” under the TSWDA

1386. By letter dated February 7, 2014, the USOR Site PRP Group notified Gulbrandsen of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Gulbrandsen the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

1387. To date, Gulbrandsen has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1388. According to USOR Site Records, from at least December 2004 to March 2009, Defendant Gulf Coast Oil Recycling ("Gulf Coast Oil") accepted for transport to the USOR site, which was selected by Gulf Coast Oil, and/or by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment of waste owned or possessed by Gulf Coast Oil, at least 45,000 gallons of waste containing hazardous substances at the USOR Site.

1389. The waste streams Gulf Coast Oil generated, transported and/or arranged for disposal are described on the USOR Site Records as "oil recycling," "waste water," "oily water," and contained some of all of the following hazardous substances: acetone, benzene, chromium, ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or zinc.

1390. On certain occasions, Gulf Coast Oil transported its own waste streams to the USOR Site.

1391. On other occasions, Gulf Coast Oil transported and/or arranged for disposal of waste streams generated by either Gulf Coast Oil and/or Honing, Inc.

1392. The waste streams Gulf Coast Oil generated, transported to and/or arranged for disposal at the USOR Site fall within the definition of “solid waste” under the TSWDA.

1393. By letters dated December 5, 2013 and February 27, 2015, the USOR Site PRP Group notified Gulf Coast Oil of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Gulf Coast Oil the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

1394. To date, Gulf Coast Oil has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1395. According to USOR Site Records from at least February 2006 to May 2007, Defendant Gulf Coast Waste Disposal Authority (“Gulf Coast Waste Disposal”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 11,300 gallons of waste containing hazardous substances owned or possessed by Gulf Coast Waste Disposal, at the USOR Site.

1396. The waste streams Gulf Coast Waste Disposal arranged for disposal are described on the USOR Site Records as “non-hazardous non-regulated by DOT (class I, waste water),” and contained some or all the following hazardous substances: acetone, benzene, cadmium, chromium, copper, dichloroethylene, ethyl benzene, lead, manganese, methyl ethyl ketone, methylene chloride, nickel, toluene, trichloroethane, trichloroethylene, xylenes and/or zinc.

1397. Additionally, the waste streams Gulf Coast Waste Disposal generated, transported and/or arranged for disposal were RCRA hazardous waste described on the USOR Site Records

as “caustic soda liquid (sodium hydroxide)- BOL# 40655,” “caustic soda liquid (sodium hydroxide)-BOL# 40654.”

1398. The waste streams Gulf Coast Waste Disposal arranged for disposal at the USOR Site was generated by Grant Prideco.

1399. The waste streams arranged for disposal at the USOR Site by Gulf Coast Waste Disposal fall within the definition of “solid waste” under the TSWDA.

1400. By letters dated December 5, 2013 and December 19, 2014, the USOR Site PRP Group notified Gulf Coast Waste Disposal of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Gulf Coast Waste Disposal the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

1401. To date, Gulf Coast Waste Disposal has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1402. According to USOR Site Records in at least July 2007, Defendant Gulf States Environmental Solutions, Inc. (“Gulf States Environmental”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 2 gallons of waste containing hazardous substances owned or possessed by Gulf States Environmental, at the USOR Site.

1403. The waste streams Gulf States Environmental arranged for disposal are described on USOR Site Records as “used oil fuel” and contained some or all of the following hazardous

substances: acetone, chromium, copper, lead, methanol, methyl ethyl ketone, toluene and/or xylenes.

1404. The waste streams Gulf States Environmental arranged for disposal at the USOR Site were generated by Houston Fuel Oil.

1405. The waste streams arranged for disposal at the USOR Site by Gulf States Environmental fall within the definition of “solid waste” under the TSWDA.

1406. By letter dated December 5, 2013, the USOR Site PRP Group notified Gulf States Environmental of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Gulf States Environmental the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

1407. To date, Gulf States Environmental has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1408. According to USOR Site Records, in at least July 2007 to September 2008, Defendant H2O Industrial Services, LLC (“H2O Industrial”) accepted for transport to the USOR Site, which was selected by H2O Industrial, and/or by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment of waste owned or possessed by H2O Industrial, at least 6,116 gallons of waste containing hazardous substances owned or possessed by H2O at the USOR Site.

1409. The waste streams generated by and/or transported by H2O Industrial are described on the USOR Site Records as “EPA & DOT non-regulated material,” “glycerin fatty



matter,” “out of date soap blend,” and contained some or all of the following hazardous substances: acetone, benzene, cadmium, chromium, copper, dichloroethylene, ethyl benzene, lead, manganese, methyl ethyl ketone, methylene chloride, nickel, toluene, trichloroethane, trichloroethylene, xylenes and/or zinc.

1410. On certain occasions, H2O Industrial arranged with Defendant Anderson Pollution Control, Inc. to transport H2O Industrial’s waste stream to the USOR Site.

1411. On other occasions, H2O Industrial also accepted for transport to the USOR Site waste streams generated by Alliance Pas-Tex c/o Lexxus Environmental.

1412. The waste streams generated by H2O Industrial and/or transported by H2O Industrial fall within the definition of “solid waste” under the TSWDA.

1413. By letters dated December 5, 2013 and December 12, 2014, the USOR Site PRP Group notified H2O Industrial of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered H2O Industrial the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

1414. To date, H2O Industrial has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1415. Alternatively, Alliance Pastex is the successor to H2O Industrial and is responsible for the waste streams attributable to H2O Industrial, as alleged in paragraph nos. 1408-1409 above.

1416. Upon information and belief, Alliance Pastex operates at the same location as H2O Industrial, has continued the uninterrupted business activities of H2O Industrial, and has retained employees and/or corporate personnel of H2O Industrial.

1417. To date, Alliance Pastex has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1418. Defendant H&H Oil, L.P. (“H&H Oil”) is the successor to Approved Remediation & Recycling of Oil Waste, Inc. (“Approved Remediation”).

1419. According to USOR Site Records, from at least March 2004 to November 2005, Approved Remediation by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 21,662 gallons of waste containing hazardous substances owned or possessed by Approved Remediation, at the USOR Site.

1420. The waste streams Approved Remediation arranged for disposal is described on USOR Site Records as “oily water,” “recyclable material oily water & tar,” “organic,” and contained some or all of the following hazardous substances: acetone, benzene, chromium, ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or zinc.

1421. The waste streams Approved Remediation arranged for disposal at the USOR Site were generated by Jiffy Lube and Arrow Recycling.

1422. On certain occasions, Approved Remediation arranged with transporters Ensorce Corporation and Defendant Flan Ex Transportation to transport Arrow Recycling waste streams to the USOR Site.

1423. The waste streams arranged for disposal at the USOR Site by Approved Remediation fall within the definition of “solid waste” under the TSWDA.

1424. By letters dated December 5, 2013 and September 25, 2015, the USOR Site PRP Group notified Approved Remediation and H&H, respectively, of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Approved Remediation H&H the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

1425. To date, H&H has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1426. Alternatively, Defendant Approved Remediation is responsible for the waste streams attributable to H&H Oil as alleged in paragraph nos. 1419-1420 above.

1427. To date, Approved Remediation has refused to cooperate with the USOR Site PRP Group and has not paid any response cost incurred by the USOR Site PRP Group at the USOR Site.

1428. Alternatively, Defendant Arrow Recycling ("Arrow Recycling") is responsible for the waste stream attributable to H&H oil as alleged in paragraph nos. 1419-1420 above.

1429. To date, Arrow Recycling has refused to cooperate with the USOR Site PRP Group and has not paid any response cost incurred by the USOR Site PRP Group at the USOR Site.

1430. According to USOR Site Records, from at least July to August 2006, Defendant HGM Products Group, LLC ("HGM Products") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 10,300 gallons of waste containing hazardous substances owned or possessed by HGM Products, at the USOR Site.

1431. The waste streams generated by HGM Products are described on USOR Site Records as “non-hazardous waste water” and contained some or all of the following hazardous substances: acetone, chromium, copper, lead, manganese, methyl ethyl ketone, nickel, perchloroethylene, toluene, trichloroethane, trichloroethylene and/or xylenes.

1432. HGM Products arranged with transporter USA Environmental to transport HGM Products’ waste streams to the USOR Site.

1433. The waste streams generated by HGM Products fall within the definition of “solid waste” under the TSWDA.

1434. By letters dated December 5, 2013 and December 19, 2014, the USOR Site PRP Group notified HGM Products of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered HGM Products the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

1435. To date, HGM Products has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1436. According to USOR Site Records, in at least November 2005, Defendant H.R. Richards Cajun Restaurant LLC doing business as Richards Cajun Restaurant (“Richards Cajun”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 800 gallons of waste containing hazardous substances owned or possessed by Richards Cajun, at the USOR Site.

1437. The waste generated by Richards Cajun is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

1438. On certain occasions, Richards Cajun arranged with transporter Defendant Southern Discount Vacuum Service to transport Richards Cajun’s waste streams to the USOR Site.

1439. The waste streams generated by Richards Cajun fall within the definition of “solid waste” under the TSWDA.

1440. By letter dated September 18, 2015, the USOR Site PRP Group notified Richards Cajun of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Richards Cajun the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

1441. To date, Richards Cajun has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1442. Defendant Harris County, Texas (“Harris County”) is the owner and/or operator of Harris County Landfill (“Harris County Landfill”).

1443. According to USOR Site Records, from at least June 2004 to January 2005, Harris County Landfill by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 8,910 gallons of waste containing hazardous substances owned or possessed by Harris County Landfill, at the USOR Site.

1444. The waste generated by Harris County Landfill is described on USOR Site Records as “organic” and “oily” and contained some or all of the following hazardous substances: acetone, benzene, cadmium, chromium, dichloroethylene, ethyl benzene, lead, manganese, methyl ethyl ketone, methylene chloride, nickel, perchloroethylene, toluene, trichloroethane, trichloroethylene, vinyl chloride, xylenes and/or zinc.

1445. On certain occasions, Harris County Landfill arranged with transporters AB Clean, Oil Mop, LLC, and Defendant Bayou City Environmental Services, LP to transport Harris County Landfill’s waste streams to the USOR Site.

1446. The waste streams generated by Harris County Landfill fall within the definition of “solid waste” under the TSWDA.

1447. Additionally, Harris County is the owner and/or operator of Harris County Jail (“Harris County Jail”).

1448. According to USOR Site Records, from at least February 2006 to March 2006, Harris County Jail by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 16,200 gallons of waste containing hazardous substances owned or possessed by Harris County Jail, at the USOR Site.

1449. The waste generated by Harris County Jail is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: acetone, arsenic, benzene, cadmium, chromium, copper, dichloroethylene, ethyl benzene, lead, manganese, mercury, methyl ethyl ketone, methylene chloride, nickel, perchloroethylene, toluene, trichloroethane, trichloroethylene, vinyl chloride, xylenes, and/or zinc.

1450. On certain occasions, Harris County Jail arranged with transporter A-Affordable Vacuum to transport Harris County Jail's waste streams to the USOR Site.

1451. The waste streams generated by Harris County Jail fall within the definition of "solid waste" under the TSWDA.

1452. Additionally, Harris County is the owner and/or operator of Toyota Center ("Toyota Center").

1453. According to USOR Site Records, in at least January 2006, Toyota Center by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 1,000 gallons of waste containing hazardous substances owned or possessed by Toyota Center, at the USOR Site.

1454. The waste generated by Toyota Center is described on USOR Site Records as "grease" and contained some or all of the following hazardous substances: acetone, arsenic, benzene, cadmium, chromium, copper, dichloroethylene, ethyl benzene, lead, manganese, mercury, methyl ethyl ketone, methylene chloride, nickel, perchloroethylene, toluene, trichloroethane, trichloroethylene, vinyl chloride, xylenes and/or zinc.

1455. On certain occasions, Toyota Center arranged with transporter A-Affordable Vacuum, to transport Toyota Center's waste streams to the USOR Site.

1456. The waste streams generated by Toyota Center fall within the definition of "solid waste" under the TSWDA.

1457. Additionally, Harris County is the owner and/or operator of Lynchburg Ferry ("Lynchburg Ferry").

1458. According to USOR Site Records, from at least November 2003 to September 2006, Lynchburg Ferry by contract, agreement, or otherwise arranged for disposal or treatment,

and/or arranged with a transporter for transport for disposal or treatment, at least 16,200 gallons of waste containing hazardous substances owned or possessed by Lynchburg Ferry, at the USOR Site.

1459. The waste generated by Lynchburg Ferry is described on USOR Site Records as “oily water” and contained some or all of the following hazardous substances: acetone, benzene, chromium, ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or zinc.

1460. On certain occasions, Lynchburg Ferry arranged with transporter West Oil to transport Lynchburg Ferry’s waste streams to the USOR Site

1461. The waste streams generated by Lynchburg Ferry fall within the definition of “solid waste” under the TSWDA.

1462. By letter dated December 5, 2013, the USOR Site PRP Group notified Harris County of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Harris County the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

1463. To date, Harris County has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1464. Defendant Hartz Franchise Restaurants, Ltd. (“Hartz Restaurants”) is the franchisor of Hartz Chicken Buffet (“Hartz Chicken”).

1465. According to USOR Site Records, from November 2005 to March 2006, Hartz Chicken by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged



with a transporter for transport for disposal or treatment, at least 4,450 gallons of waste containing hazardous substances owned or possessed by Hartz Chicken at the USOR Site.

1466. The waste generated by Hartz Chicken is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

1467. On certain occasions, Hartz Chicken arranged with transporter Defendant Consolidated Waste, LLC, doing business as Liquid Waste Solutions, to transport Hartz Chicken’s waste streams to the USOR Site.

1468. The waste streams generated by Hartz Chicken fall within the definition of “solid waste” under the TSWDA.

1469. By letter dated August 25, 2015, the USOR Site PRP Group notified Hartz Restaurants of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Hartz Restaurants the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

1470. To date, Hartz Restaurants has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1471. Defendant Hercules Offshore, Inc. (“Hercules Offshore”) is the successor to TODCO.

1472. In or about 2007, TODCO merged out of existence into The Hercules Offshore Drilling Co. LLC (“Hercules LLC”), a subsidiary of Hercules Offshore.

1473. Hercules LLC dissolved in or about 2011, and Hercules Offshore holds itself out as the successor of TODCO.

1474. According to USOR Site Records, in at least May 2006, TODCO by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 9,300 gallons of waste containing hazardous substances owned or possessed by TODCO, at the USOR Site.

1475. The waste streams generated by TODCO is described on USOR Site Records as “diesel and water” and contained some or all of the following hazardous substances: acetone, benzene, chromium, ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or zinc.

1476. TODCO arranged with transporter USA Environmental to transport TODCO’s waste streams to the USOR Site.

1477. The waste streams generated by TODCO fall within the definition of “solid waste” under the TSWDA.

1478. By letters dated December 5, 2013 and December 12, 2014, the USOR Site PRP Group notified TODCO and Hercules Offshore, respectively, of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered TODCO and Hercules Offshore the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

1479. To date, Hercules Offshore has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1480. According to USOR Site Records, in at least February 2006, Defendant Hernandez TX Taco Express (“Taco Express”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 1,000 gallons of waste containing hazardous substances owned or possessed by Taco Express, at the USOR Site.

1481. The waste generated by Taco Express is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

1482. On certain occasions, Taco Express arranged with transporter Defendant Public Sanitary Works, Inc. to transport Taco Express’s waste streams to the USOR Site.

1483. The waste streams generated by Taco Express fall within the definition of “solid waste” under the TSWDA.

1484. By letter dated September 18, 2015, the USOR Site PRP Group notified Taco Express of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Taco Express the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

1485. To date, Taco Express has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1486. According to USOR Site Records, from at least October 2005 to February 2006, Defendant Hickory Hollow Restaurant & Catering (“Hickory Hollow”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport

for disposal or treatment, at least 1,500 gallons of waste containing hazardous substances owned or possessed by Hickory Hollow, at the USOR Site.

1487. The waste generated by Hickory Hollow is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

1488. On certain occasions, Hickory Hollow arranged with transporter Defendant Consolidated Waste, LLC, doing business as Liquid Waste Solutions, to transport Hickory Hollow’s waste streams to the USOR Site.

1489. The waste streams generated by Hickory Hollow fall within the definition of “solid waste” under the TSWDA.

1490. By letter dated August 25, 2015, the USOR Site PRP Group notified Hickory Hollow of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Hickory Hollow the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

1491. To date, Hickory Hollow has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1492. According to USOR Site Records, December 2003 to July 2007 Defendant Highland Threads, Inc. (“Highland Threads”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 40,520 gallons of waste containing hazardous substances owned or possessed by Highland Threads, at the USOR Site.

1493. The waste streams generated by Highland Threads are described on USOR Site Records as “oily sludge” and contained some or all of the following hazardous substances: acetone, benzene, chromium, copper, dichlorobenzene, dichloroethylene, lead, manganese, methyl ethyl ketone, methylene chloride, nickel, perchloroethylene, toluene, trichloroethane, trichloroethylene, xylenes and/or zinc.

1494. Highland Threads arranged with transporter ProWaste, Inc. to transport Highland Thread’s waste streams to the USOR Site.

1495. The waste streams generated by Highland Threads fall within the definition of “solid waste” under the TSWDA.

1496. By letters dated December 5, 2013 and December 19, 2014, the USOR Site PRP Group notified Highland Threads of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Highland Threads the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

1497. To date, Highland Threads has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1498. According to USOR Site Records, in at least February 2006, Defendant Highway Transport, Inc. (“Highway Transport”) accepted at least 26,633 gallons of waste containing hazardous substances for transport to the USOR Site, which was selected by Highway Transport.

1499. The waste streams transported by Highway Transport are described on USOR Site Records as “non-hazardous non-regulated (pond water)” and “non-hazardous non-regulated

(pond water) CH<sub>2</sub>O” and contained some or all of the following hazardous substances: acetone, copper, dichloroethylene, lead, methyl ethyl ketone, toluene and/or xylenes.

1500. The waste streams Highway Transport transported to the USOR Site were generated by Hexion Specialty Chemical.

1501. The waste streams transported to the USOR Site by Highway Transport fall within the definition of “solid waste” under the TSWDA.

1502. By letter dated December 19, 2014, the USOR Site PRP Group notified Highway Transport of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Highway Transport the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

1503. To date, Highway Transport has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1504. According to USOR Site Records, in at least May 2004, Defendant Hippo Waste Systems, LLC (“Hippo Waste Systems”) accepted at least 9,090 gallons of waste containing hazardous substances for transport to the USOR Site, which was selected by Hippo Waste Systems.

1505. The waste streams transported by Hippo Waste Systems are described on USOR Site Records as “non DOT regulated material (drilling mud)” and contained some or all of the following hazardous substances: acetone, benzene, chromium, ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or zinc.

1506. The waste streams Hippo Waste Systems transported to the USOR Site were generated by Schlumberger Tech.

1507. The waste streams transported to the USOR Site by Hippo Waste Systems fall within the definition of “solid waste” under the TSWDA.

1508. By letter dated February 20, 2015, the USOR Site PRP Group notified Hippo Waste Systems of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Hippo Waste Systems the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

1509. To date, Hippo Waste Systems has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1510. According to USOR Site Records, in at least March 2005, Defendant Ho Ho Ho Express Inc. (“Ho Ho Ho Express”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 2,020 gallons of waste containing hazardous substances owned or possessed by Ho Ho Ho Express, at the USOR Site.

1511. The waste streams generated by Ho Ho Ho Express are described on USOR Site Records as “oily” and contained some or all of the following hazardous substances: acetone, benzene, chromium, ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or zinc.

1512. Ho Ho Ho Express arranged with transporter Defendant Milstead Environmental, LLC to transport Ho Ho Ho Express's waste streams to the USOR Site.

1513. The waste streams generated by Ho Ho Ho Express fall within the definition of "solid waste" under the TSWDA.

1514. By letter dated December 12, 2014, the USOR Site PRP Group notified Ho Ho Ho Express of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Ho Ho Ho Express the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

1515. To date, Ho Ho Ho Express has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1516. According to USOR Site Records, from at least December 2003 to August 2008, Defendant Holcomb Environmental Oil Services LLC ("Holcomb Environmental") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 257,906 gallons of waste containing hazardous substances owned or possessed by Holcomb Environmental, at the USOR Site.

1517. The waste streams generated by and/or transported by Holcomb Environmental are described on USOR Site Records as "coolant and oily water," "drums of dry floor," "floor dry/ oily rags (drums)," "oily waste water," "silicone/water," "waste coolant," and "waste sludge (drums)" and contained some or all of the following hazardous substances: acetone, benzene, chromium, ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or zinc.



1518. On certain occasions, Holcomb Environmental transported its own waste streams to the USOR Site.

1519. On other occasions, Holcomb Environmental also arranged with transporter Everready Environmental to transport Holcomb Environmental's waste streams to the USOR Site.

1520. The waste streams generated by Holcomb Environmental and/or transported to the USOR Site by Holcomb Environmental fall within the definition of "solid waste" under the TSWDA.

1521. By letter dated February 7, 2014, the USOR Site PRP Group notified Holcomb Environmental of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Holcomb Environmental the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

1522. To date, Holcomb Environmental has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1523. According to USOR Site Records, in at least April 2005, Defendant Holman Shipping, Inc. ("Holman Shipping") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 300 gallons of waste containing hazardous substances owned or possessed by Holman Shipping, at the USOR Site.

1524. The waste streams generated by Holman Shipping are described on USOR Site Records as “organic” and contained some or all of the following hazardous substances: acetone, benzene, chromium, ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or zinc.

1525. Holman Shipping arranged with transporter Garner Environmental to transport Holman Shipping’s waste streams to the USOR Site.

1526. The waste streams generated by Holman Shipping fall within the definition of “solid waste” under the TSWDA.

1527. By letters dated December 5, 2013 and November 21, 2014, the USOR Site PRP Group notified Holman Shipping of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Holman Shipping the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

1528. To date, Holman Shipping has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1529. According to USOR Site Records, in at least February 2006, Defendant Houston Area Women’s Center, Inc. (“HAWC”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 1,250 gallons of waste containing hazardous substances owned or possessed by HAWC, at the USOR Site.

1530. The waste generated by HAWC is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, methyl ethyl ketone, methylene chloride, molybdenum, nickel, selenium, trichloroethane, trichloroethylene and/or zinc.

1531. On certain occasions, HAWC arranged with transporter Earth America to transport HAWC’s waste streams to the USOR Site.

1532. The waste streams generated by HAWC fall within the definition of “solid waste” under the TSWDA.

1533. By letter dated August 25, 2015, the USOR Site PRP Group notified HAWC of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered HAWC the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

1534. To date, HAWC has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1535. According to USOR Site Records, in at least January 2006, Defendant The Houston Club (“Houston Club”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 1,000 gallons of waste containing hazardous substances owned or possessed by Houston Club, at the USOR Site.

1536. The waste generated by Houston Club is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: arsenic, cadmium,

chromium, copper, lead, mercury, methyl ethyl ketone, methylene chloride, molybdenum, nickel, selenium, trichloroethane, trichloroethylene and/or zinc.

1537. On certain occasions, Houston Club arranged with transporter A-Affordable Vacuum Services to transport Houston Club's waste streams to the USOR Site.

1538. The waste streams generated by Houston Club fall within the definition of "solid waste" under the TSWDA.

1539. By letter dated September 18, 2015, the USOR Site PRP Group notified Houston Club of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Houston Club the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

1540. To date, Houston Club has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1541. According to USOR Site Records, in at least December 2005, Defendant Houston Comedy, L.P. doing business as Improv Comedy Club & Restaurant ("Houston Comedy") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 13,100 gallons of waste containing hazardous substances owned or possessed by Houston Comedy, at the USOR Site.

1542. The waste generated by Houston Comedy is described on USOR Site Records as "grease" and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, methyl ethyl ketone, methylene chloride, molybdenum, nickel, selenium, trichloroethane, trichloroethylene and/or zinc.

1543. On certain occasions, Houston Comedy arranged with transporter Defendant Consolidated Waste, LLC, doing business as Liquid Waste Solutions, to transport Houston Comedy's waste streams to the USOR Site.

1544. The waste streams generated by Houston Comedy fall within the definition of "solid waste" under the TSWDA.

1545. By letter dated September 18, 2015, the USOR Site PRP Group notified Houston Comedy of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Houston Comedy the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

1546. To date, Houston Comedy has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1547. According to USOR Site Records, in at least November 2004, Defendant Houston Engine & Balancing Service ("Houston Engine") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 800 gallons of waste containing hazardous substances owned or possessed by Houston Engine, at the USOR Site.

1548. The waste streams generated by Houston Engine are described on USOR Site Records as "oily water" and contained some or all of the following hazardous substances: acetone, benzene, chromium, ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or zinc.

1549. Houston Engine arranged with transporter Oil Mop, LLC to transport Houston Engine's waste streams to the USOR Site.

1550. The waste streams generated by Houston Engine fall within the definition of "solid waste" under the TSWDA.

1551. By letter dated November 21, 2014, the USOR Site PRP Group notified Houston Engine of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Houston Engine the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

1552. To date, Houston Engine has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1553. According to USOR Site Records, from at least October to December 2003, Defendant Houston Harris County Septic Tank Service ("Houston Harris County Septic") accepted for transport to the USOR Site, which was selected by Houston Harris County, and/or by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment of waste owned or possessed by Houston Harris County Septic, at least 150,450 gallons of waste containing hazardous substances at the USOR Site.

1554. The waste streams Houston Harris County Septic generated, transported, and/or arranged for disposal are described on USOR Site Records as "lint trap" and contained some or all of the following hazardous substances: acetone, cadmium, chromium, copper, dichloroethylene, lead, methylene chloride, methyl ethyl ketone, nickel, toluene, trichloroethane, trichloroethylene and/or zinc.

1555. On certain occasions, Houston Harris County Septic transported its own waste streams to the USOR Site.

1556. On other occasions, Houston Harris County Septic transported and/or arranged for disposal at the USOR Site waste streams generated by either Houston Harris County Septic and/or other persons.

1557. The waste streams Houston Harris County Septic generated, transported to and/or arranged for disposal at the USOR Site fall within the definition of “solid waste” under the TSWDA.

1558. By letter dated February 7, 2014, the USOR Site PRP Group notified Houston Harris County Septic of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Houston Harris County Septic the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

1559. To date, Houston Harris County Septic has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1560. According to USOR Site Records, in at least February 2004, Defendant The Houston Housing Authority (“Houston Housing Authority”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 2,614 gallons of waste containing hazardous substances owned or possessed by Houston Housing Authority, at the USOR Site.

1561. The waste streams generated by Houston Housing Authority are described on USOR Site Records as “oily water” and contained some or all of the following hazardous substances: acetone, arsenic, cadmium, chromium, copper, dichloroethylene, lead, methyl ethyl ketone, methylene chloride, nickel, toluene, trichloroethane, trichloroethylene and/or zinc.

1562. Houston Housing Authority arranged with transporter Defendant Specialized Maintenance Services, Inc. to transport Houston Housing Authority’s waste streams to the USOR Site.

1563. The waste streams generated by Houston Housing Authority fall within the definition of “solid waste” under the TSWDA.

1564. By letters dated December 5, 2013 and December 12, 2014, the USOR Site PRP Group notified Houston Housing Authority of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Houston Housing Authority the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

1565. To date, Houston Housing Authority has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1566. According to USOR Site Records, from at least January 2004 to February 2009, Defendant Houston Independent School District (“Houston ISD”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 94,624 gallons of waste containing hazardous substances owned or possessed by Houston ISD, at the USOR Site.



1567. On certain occasions, the waste streams generated by Houston ISD were RCRA hazardous waste described on USOR Site Records as “waste flammable liquids, n.o.s. 3, UN 1993, PG III,” “waste paint related material 3, UN1263, PG II (universal),” “RQ waste corrosive liquid,” “basic, inorganic, n.o.s., 8, UN3266, PG III” and “RQ waste oxidizing liquid, n.o.s. 5.1, UN3139, PG III (chlorine).”

1568. On certain occasions, the waste streams generated by Houston ISD is described on USOR Site Records as “non RCRA nonhazardous (monoammonium phosphate),” “non-RCRA non hazardous (oily water),” “non-RCRA non-hazardous (lab rinsewater),” “non-RCRA non hazardous (waste oil),” “non-hazardous non-RCRA (oily water),” “non-RCRA non-hazardous (waste oil),” “non-RCRA non hazardous solid (oil & dirt),” “non-hazardous non-RCRA (old roofing tar),” “non RCRA non haz [sic] (oily water),” “non-RCRA non-hazardous solid (trash),” “non-hazardous oil & water,” “non-RCRA non-hazardous (diesel & water),” “oil,” “oily water,” “coolant and water,” “waste oil,” “lab rinsewater,” “organic” and “waste paint related” and contained some or all of the following hazardous substances: acetone, asbestos, benzene, benzo(a)anthracene, benzo(a)pyrene, cadmium, chromium, cobalt copper, cresol, dichlorobenzene, dichloroethylene, ethyl benzene, lead, manganese, methylene chloride, methyl ethyl ketone, molybdenum, nickel, , perchloroethylene, phenanthrene, selenium, silver, tin, toluene, trichloroethane, trichloroethylene, vinyl chloride, xylenes and/or zinc.

1569. On certain occasions, Houston ISD arranged with transporters Defendant Bealine Service Co., Inc., Ensource Corporation, Envirologistics doing business as CleanupTexas, Defendant Legacee International Environmental Services, Inc. doing business as Texas Waste Carriers, Defendant Specialized Maintenance Services, Inc. and Defendant Top Notch Transportation, Inc. to transport Houston ISD’s waste streams to the USOR Site.

1570. The waste streams Houston ISD generated, transported to and/or arranged for disposal at the USOR Site fall within the definition of “solid waste” under the TSWDA.

1571. Houston ISD entered into a series of tolling agreements with the USOR PRP Group, which tolled all applicable statutes of limitation from August 1, 2014 through the date of this Second Amended Complaint.

1572. To date, Houston ISD has refused to cooperate with the USOR Site PRP Group and has not paid its equitable share of response costs incurred by the USOR Site PRP Group at the USOR Site.

1573. According to USOR Site Records, in at least January 2006, Defendant Houston Motor Speedway Corp. (“Houston Speedway”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 935 gallons of waste containing hazardous substances owned or possessed by Houston Speedway, at the USOR Site.

1574. The waste generated by Houston Speedway is described on USOR Site Records as “oily” and contained some or all of the following hazardous substances: acetone, arsenic, benzene, cadmium, chromium, copper, dichloroethylene, ethyl benzene, lead, manganese, mercury, methyl ethyl ketone, methylene chloride, molybdenum, nickel, selenium, toluene, trichloroethane, trichloroethylene, xylenes, vinyl chloride and/or zinc.

1575. On certain occasions, Houston Speedway arranged with transporter Columbia Environmental Services, Inc. to transport Houston Speedway’s waste streams to the USOR Site.

1576. The waste streams generated by Houston Speedway fall within the definition of “solid waste” under the TSWDA.

1577. By letter dated September 4, 2015, the USOR Site PRP Group notified Houston Speedway of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Houston Speedway the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

1578. To date, Houston Speedway has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1579. According to USOR Site Records, in at least March 2006, Defendant Houston Pennzoil Place L.P. ("Pennzoil Place") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 1,500 gallons of waste containing hazardous substances owned or possessed by Pennzoil Place, at the USOR Site.

1580. The waste generated by Pennzoil Place is described on USOR Site Records as "grease" and contained some or all of the following hazardous substances: acetone, arsenic, benzene, cadmium, chromium, dichloroethylene, lead, methyl ethyl ketone, methylene chloride, perchloroethylene, toluene, trichloroethane, trichloroethylene, vinyl chloride, xylenes and/or zinc.

1581. On certain occasions, Pennzoil Place arranged with transporter Mr. Pumper to transport Pennzoil Place's waste streams to the USOR Site.

1582. The waste streams generated by Pennzoil Place fall within the definition of "solid waste" under the TSWDA.

1583. By letter dated October 30, 2015, the USOR Site PRP Group notified Pennzoil Place of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Pennzoil Place the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

1584. To date, Pennzoil Place has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1585. According to USOR Site Records, from at least June 2007 to October 2009, Defendant Houston Shutters LLC ("Houston Shutters") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 6,820 gallons of waste containing hazardous substances owned or possessed by Houston Shutters, at the USOR Site.

1586. The waste streams generated by Houston Shutters are described on USOR Site Records as "non-hazardous, non-regulated liquid (talc paint rinswater) [sic]" and contained some or all of the following hazardous substances: acetone, cadmium, chromium, copper, dichloroethylene, lead, methyl ethyl ketone, methylene chloride, nickel, toluene, trichloroethane, trichloroethylene and/or zinc.

1587. Houston Shutters arranged with transporter ProWaste Inc. to transport Houston Shutters' waste streams to the USOR Site.

1588. The waste streams generated by Houston Shutters fall within the definition of "solid waste" under the TSWDA.

1589. By letters dated December 5, 2013 and December 12, 2014, the USOR Site PRP Group notified Houston Shutters of the existence of the release or threatened release of

hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Houston Shutters the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

1590. To date, Houston Shutters has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1591. According to USOR Site Records, in at least February 2006, Defendant Hsiang E Enterprise, LLC doing business as Sasaki Japanese Restaurant ("Hsiang Enterprise") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 30 gallons of waste containing hazardous substances owned or possessed Hsiang Enterprise, at the USOR Site.

1592. The waste generated by Hsiang Enterprise is described on USOR Site Records as "grease" and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

1593. On certain occasions, Hsiang Enterprise arranged with transporter Defendant Public Sanitary Works, Inc. to transport Hsiang Enterprise's waste streams to the USOR Site.

1594. The waste streams generated by Hsiang Enterprise fall within the definition of "solid waste" under the TSWDA.

1595. By letter dated September 18, 2015, the USOR Site PRP Group notified Hsiang Enterprise of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or

threatened release of hazardous substances at the USOR Site; and offered Hsiang Enterprise the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

1596. To date, Hsiang Enterprise has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1597. According to USOR Site Records, in at least April 2005, Defendant Huffman Independent School District ("Huffman ISD") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 1,200 gallons of waste containing hazardous substances owned or possessed by Huffman ISD, at the USOR Site.

1598. The waste generated by Huffman ISD is described on USOR Site Records as "grit trap" and contained some or all of the following hazardous substances: acetone, arsenic, benzene, cadmium, chromium, copper, dichlorobenzene, dichloroethylene, lead, mercury, methyl ethyl ketone, methylene chloride, nickel, perchloroethylene, selenium, toluene, trichloroethane, trichloroethylene, vinyl chloride, xylenes and/or zinc.

1599. On certain occasions, Huffman ISD arranged with transporter Earth America to transport Huffman ISD's waste streams to the USOR Site.

1600. The waste streams generated by Huffman ISD fall within the definition of "solid waste" under the TSWDA.

1601. By letter dated September 25, 2015, the USOR Site PRP Group notified Huffman ISD of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or

threatened release of hazardous substances at the USOR Site; and offered Huffman ISD the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

1602. To date, Huffman ISD has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1603. According to USOR Site Records, in at least August 2004, Defendant Humble Elevator Service, Inc. ("Humble Elevator") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 2,020 gallons of waste containing hazardous substances owned or possessed by Humble Elevator, at the USOR Site.

1604. Humble Elevator arranged with transporter Defendant Specialized Maintenance Services, Inc. to transport Humble Elevator's waste streams to the USOR Site.

1605. The waste streams generated by Humble Elevator fall within the definition of "solid waste" under the TSWDA.

1606. By letters dated December 5, 2013 and December 12, 2014, the USOR Site PRP Group notified Humble Elevator of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Humble Elevator the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

1607. To date, Humble Elevator has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1608. According to USOR Site Records, in at least March 2001, Defendant Hunan River Bistro Chinese Cuisine (“Hunan River”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 3,000 gallons of waste containing hazardous substances owned or possessed by Hunan River, at the USOR Site.

1609. The waste generated by Hunan River is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

1610. On certain occasions, Hunan River arranged with transporter Defendant Consolidated Waste, LLC, doing business as Liquid Waste Solutions, to transport Hunan River’s waste streams to the USOR Site.

1611. The waste streams generated by Hunan River fall within the definition of “solid waste” under the TSWDA.

1612. By letter dated September 4, 2015, the USOR Site PRP Group notified Hunan River of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Hunan River the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

1613. To date, Hunan River has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1614. According to USOR Site Records, in at least March 2007, Defendant IBEX Chemicals, Inc. (“IBEX”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 2,700



gallons of waste containing hazardous substances owned or possessed by IBEX, at the USOR Site.

1615. The waste streams generated by IBEX are described in USOR Site Records as “off spec soybean oil” and contained some or all of the following hazardous substances: acetone, benzene, chromium, copper, dichlorobenzene, dichloroethylene, lead, methylene chloride, trichloroethane, trichloroethylene and/or zinc.

1616. IBEX arranged with transporter Defendant Gator Environmental & Rentals, Inc. to transport IBEX’s waste streams to the USOR Site.

1617. The waste streams generated by IBEX fall within the definition of “solid waste” under the TSWDA.

1618. By letter dated December 12, 2014, the USOR Site PRP Group notified IBEX of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered IBEX the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

1619. To date, IBEX has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1620. Defendant IPSCO Koppel Tubulars, L.L.C. (“IPSCO”) is formerly known as Koppel Steel Corp. (“Koppel”).

1621. In or about July 2007, Koppel changed its name to IPSCO Koppel Tubulars Corporation (“IPSCO Corp.”), pursuant to an Application for Amended Certificate of Authority, filed with the Texas Secretary of State.

1622. In or about March 2010, IPSCO Corp. changed its name to IPSCO, pursuant to an Amendment to Registration, filed with the Texas Secretary of State.

1623. According to USOR Site Records, from at least July 2004 to September 2006, Koppel by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 13,980 gallons of waste containing hazardous substances owned or possessed by Koppel, at the USOR Site.

1624. The waste generated by Koppel is described on USOR Site Records as “oily water,” “non DOT regulated material (water based line flush),” and “organic” and contained some or all of the following hazardous substances: acetone, benzene, chromium, copper, lead, manganese, methyl ethyl ketone, nickel, perchloroethylene, toluene, trichloroethane, trichloroethylene, xylenes and/or zinc.

1625. On certain occasions, Koppel arranged with transporters Ashland Chemical Co., Ashland Distribution Co., and Defendant Coal City Cob Co., Inc. to transport Koppel’s waste streams to the USOR Site.

1626. The waste streams Koppel generated, transported to and/or arranged for disposal at the USOR Site fall within the definition of “solid waste” under the TSWDA.

1627. IPSCO entered into a series of tolling agreements with the USOR PRP Group, which tolled all applicable statutes of limitation from August 1, 2014 through the date of this Second Amended Complaint.

1628. To date, IPSCO has refused to cooperate with the USOR Site PRP Group and has not paid its equitable share of response costs incurred by the USOR Site PRP Group at the USOR Site.

1629. Defendant Ignite Restaurant Group (“Ignite”) is the owner and operator of Joe’s Crab Shack (“Joe’s Crab Shack”).

1630. According to USOR Site Records, from at least November 2005 to February 2006, Joe’s Crab Shack by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 15,700 gallons of waste containing hazardous substances owned or possessed by Joe’s Crab Shack, at the USOR Site.

1631. The waste generated by Joe’s Crab Shack is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

1632. On certain occasions, Joe’s Crab Shack arranged with transporter Defendant Consolidated Waste, LLC, doing business as Liquid Waste Solutions, to transport Joe’s Crab Shack’s waste streams to the USOR Site.

1633. The waste streams generated by Joe’s Crab Shack fall within the definition of “solid waste” under the TSWDA.

1634. By letter dated August 14, 2015, the USOR Site PRP Group notified Ignite of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Ignite the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

1635. To date, Ignite has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1636. According to USOR Site Records, in at least January 2004, Defendant International Bank of Commerce (“International Bank”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 4,444 gallons of waste containing hazardous substances owned or possessed by International Bank, at the USOR Site.

1637. International Bank arranged with transporter Defendant Specialized Maintenance Services, Inc. to transport International Bank’s waste streams to the USOR Site.

1638. The waste streams generated by International Bank fall within the definition of “solid waste” under the TSWDA.

1639. By letters dated December 5, 2013 and September 18, 2015, the USOR Site PRP Group notified International Bank of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered International Bank the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

1640. To date, International Bank has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1641. According to USOR Site Records, from at least February 2004 to September 2005, Defendant International Paper Company (“IP”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 36,324 gallons of waste containing hazardous substances owned or possessed by IP, at the USOR Site.

1642. On certain occasions, the waste streams IP generated, transported and/or arranged for disposal were RCRA hazardous waste described on USOR Site Records as “waste corrosive liquid, basic organic n.o.s. (sodium hydroxide, machine oil) 8 UN3267 PG III.”

1643. On certain occasions, the waste streams IP generated, transported and/or arranged for disposal are described on USOR Site Records as “oily waste water (not USDOT or USEPA regulated),” “non-regulated liquid” and “non-regulated plastic material NOI, STCC 28,” and contained some or all of the following hazardous substances: acetone, barium, copper, lead, methyl ethyl ketone, toluene, trichloroethane, trichloroethylene, xylenes and/or zinc.

1644. On certain occasions, IP arranged with transporters Safety-Kleen Systems, Inc. and Andrews Transport to transport IP’s waste streams to the USOR Site.

1645. The waste streams IP generated, transported to and/or arranged for disposal at the USOR Site fall within the definition of “solid waste” under the TSWDA.

1646. IP entered into a series of tolling agreements with the USOR PRP Group, which tolled all applicable statutes of limitation from August 1, 2014 through the date of this Second Amended Complaint.

1647. To date, IP has refused to cooperate with the USOR Site PRP Group and has not paid its equitable share of response costs incurred by the USOR Site PRP Group at the USOR Site.

1648. Defendant International Restaurant Management Group, Inc. (“International Restaurant”) is owner and franchisor Kelly’s Cajun Grill (“Cajun Grill”).

1649. According to USOR Site Records, from at least November 2005 to March 2006, Cajun Grill by contract, agreement, or otherwise arranged for disposal or treatment, and/or

arranged with a transporter for transport for disposal or treatment, at least 120 gallons of waste containing hazardous substances owned or possessed by Cajun Grill, at the USOR Site.

1650. The waste generated by Cajun Grill is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

1651. On certain occasions, Cajun Grill arranged with transporter Defendant Consolidated Waste, LLC, doing business as Liquid Waste Solutions, to transport Cajun Grill’s waste streams to the USOR Site.

1652. The waste streams generated by Cajun Grill fall within the definition of “solid waste” under the TSWDA.

1653. By letter dated October 2, 2015, the USOR Site PRP Group notified International Restaurant of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered International Restaurant the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

1654. To date, International Restaurant has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1655. According to USOR Site Records, from at least September 2004 to February 2010, Defendant Intra-Services Inc. (“Intra-Services”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or

treatment, at least 416,327 gallons of waste containing hazardous substances owned or possessed by Intra-Services, at the USOR Site.

1656. The waste streams generated by Intra-Services were RCRA hazardous waste described on USOR Site Records as “RQ waste flammable liquids n.o.s. 3 UN1993 PG I (organic heel),” “RQ waste flammable liquids n.o.s. 3 UN1993 PG III (organic heel),” “RQ waste flammable liquids n.o.s. 3 UN1993 PG I (organic heel) D149,” “hazardous waste, liquid, n.o.s. 9, NA3082, PG III (chlorinated rinsewater),” “hazardous waste, liquid, n.o.s. 9, NA3082, PG III,” “RQ hazardous waste liquid n.o.s. 9, NA3082 (dichloroethane),” “RQ hazardous waste liquid n.o.s. 9, NA3082, PG III (dichloroethane),” “[illegible] liquid, n.o.s. [illegible] water),” “RQ waste flammable liquids, n.o.s. 3 UN1993 PG III (dimethyl disulfide),” “RQ waste flammable liquids corrosive, n.o.s. 3, UN2924 PG III,” “RQ waste corrosive liquids (heel), n.o.s. 8, UN1760, PG III,” “waste corrosive liquids, flammable, n.o.s. 8, UN2920, PG II,” “RQ waste flammable liquids, n.o.s. 3, UN1993, PG I (flammable [sic] rinse),” “RQ waste corrosive liquids, n.o.s. 8, UN1760, PG III (heel sludge),” “waste flammable liquids, corrosive, n.o.s. 3, UN2924, PG III,” “waste flammable liquids, corrosive, n.o.s. 3, UN2924, PG II (corrosive heel),” and “waste corrosive liquid, acidic, inorganic, n.o.s., 8, UN3264, PG III (sulfuric, hydrochloric acid).”

1657. The waste streams generated by Intra-Services are also described on USOR Site Records as “non-hazardous non-RCRA rinsewater,” “non-RCRA non-hazardous (rinsewater),” “non-RCRA non-hazardous (diesel & water),” “non-hazardous non-RCRA (lubricant),” “non haz non regulated solids,” “non RCRA nonhazardous solid (carbon black),” “non-RCRA non-hazardous (catalyst),” “non-RCRA non-hazardous (organic heel petroleum products),” “non-hazardous non-RCRA (drilling mud),” “non-hazardous non-RCRA drilling mud,” “non RCRA

non hazardous petroleum contaminated solids (floor dry),” “non-hazardous non-RCRA (oily water),” and contained some or all of the following hazardous substances: acetone, benzene, chromium, ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or zinc.

1658. On certain occasions, Intra-Services transported its own waste streams to the USOR Site.

1659. On other occasions, Intra-Services arranged with transporters Defendant Bealine Service Co., Inc., Gulf Coast Vacuum, Defendant MTI Environmental LLC, Defendant Specialized Maintenance Services, Inc., Defendant Specialized Waste Systems, Inc. a/k/a SWS, Texas Environmental Xpress, Texas Waste Carriers, Defendant Top Notch Transportation, Inc., to transport Intra-Services’ waste streams to the USOR Site.

1660. The waste streams generated by Intra-Services fall within the definition of “solid waste” under the TSWDA.

1661. By letters dated February 7, 2014 and October 14, 2015, the USOR Site PRP Group notified Intra-Services of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Intra-Services the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

1662. To date, Intra-Services has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1663. According to USOR Site Records, in at least January 2006, Defendant Italian Cultural & Community Center of Houston (“ICCC”) by contract, agreement, or otherwise



arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 75 gallons of waste containing hazardous substances owned or possessed by ICCC, at the USOR Site.

1664. The waste generated by ICCC is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: acetone, arsenic, benzene, cadmium, chromium, dichloroethylene, lead, methyl ethyl ketone, methylene chloride, perchloroethylene, toluene, trichloroethane, trichloroethylene, vinyl chloride, xylenes and/or zinc.

1665. On certain occasions, ICCC arranged with transporter Defendant Consolidated Waste, LLC, doing business as Liquid Waste Solutions, to transport ICCC’s waste streams to the USOR Site.

1666. The waste streams generated by ICCC fall within the definition of “solid waste” under the TSWDA.

1667. By letter dated August 25, 2015, the USOR Site PRP Group notified ICCC of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered ICCC the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

1668. To date, ICCC has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1669. According to USOR Site Records, from at least August 2006 to May 2007, Defendant J&D Oil Service (“J&D Oil”) accepted for transport to the USOR Site, which was selected by J&D Oil, and/or by contract, agreement, or otherwise arranged for disposal or

treatment, and/or arranged with a transporter for transport for disposal or treatment of waste owned or possessed by J&D Oil, at least 28,100 gallons of waste containing hazardous substances at the USOR Site.

1670. The waste streams J&D Oil generated, transported and/or arranged for disposal are described on USOR Site Records as “oily water,” and “used oil” and contained some or all of the following hazardous substances: acetone, benzene, chromium, ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or zinc.

1671. On certain occasions, J&D Oil transported its own waste streams to the USOR Site.

1672. On other occasions, J&D Oil transported and/or arranged for disposal of waste streams generated by either J&D Oil and/or other persons.

1673. The waste streams J&D Oil generated, transported to and/or arranged for disposal at the USOR Site fall within the definition of “solid waste” under the TSWDA.

1674. By letters dated December 5, 2013 and February 27, 2015, the USOR Site PRP Group notified J&D Oil of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered J&D Oil the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

1675. To date, J&D Oil has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1676. According to USOR Site Records, in at least March 2006, Defendant JDST, Inc. doing business as Sol Supermarket (“JDST”) by contract, agreement, or otherwise arranged for

disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 700 gallons of waste containing hazardous substances owned or possessed by JDST, at the USOR Site.

1677. The waste generated by JDST is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: acetone, arsenic, benzene, cadmium, chromium, copper, dichlorobenzene, dichloroethylene, lead, methylene chloride, molybdenum, nickel, trichloroethane, trichloroethylene, selenium and/or zinc.

1678. On certain occasions, JDST arranged with transporter Defendant Public Sanitary Works, Inc. to transport JDST’s waste streams to the USOR Site.

1679. The waste streams generated by JDST fall within the definition of “solid waste” under the TSWDA.

1680. By letter dated September 25, 2015, the USOR Site PRP Group notified JDST of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered JDST the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

1681. To date, JDST has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1682. According to USOR Site Records, from at least September 2003 to August 2007, Defendant J.L. Proler Iron & Steel Co. (“J.L. Proler Iron”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 525,700 gallons of waste containing hazardous substances owned or possessed by J.L. Proler Iron, at the USOR Site.

1683. The waste streams J.L. Proler Iron arranged for disposal are described on USOR Site Records as including but not limited to “oily water,” “oily waste water,” “oily,” “wash water non-haz” and “oil – 2%; solids – 1%; H<sub>2</sub>O – 97%” and contained some or all of the following hazardous substances: acetone, benzene, chromium, ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or zinc.

1684. On certain occasions, J.L. Proler Iron arranged with transporters including but not limited to Defendant El Regio Vacuum Service, Envirogistics LP, Defendant Gator Environmental & Rentals, Inc., Gulf Coast Vacuum, and Defendant HET Environmental to transport J.L. Proler’s waste streams to the USOR Site.

1685. The waste streams J.L. Proler arranged for disposal at the USOR Site fall within the definition of “solid waste” under the TSWDA.

1686. By letters dated December 5, 2013 and June 15, 2015, the USOR Site PRP Group notified J.L. Proler Iron of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered J.L. Proler Iron the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

1687. To date, J.L. Proler Iron has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1688. According to USOR Site Records, in at least November 2005, Defendant J.L.H. Automotive, Ltd. doing business as Jeff Haas Mazda (“J.L.H. Automotive”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for

transport for disposal or treatment, at least 1,200 gallons of waste containing hazardous substances owned or possessed by J.L.H. Automotive, at the USOR Site.

1689. The waste generated by J.L.H. Automotive is described on USOR Site Records as “grit” and contained some or all of the following hazardous substances: acetone, benzene, chromium, ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or zinc.

1690. On certain occasions, J.L.H. Automotive arranged with transporter Defendant Southern Discount Vacuum Service to transport J.L.H. Automotive’s waste streams to the USOR Site.

1691. The waste streams generated by J.L.H. Automotive fall within the definition of “solid waste” under the TSWDA.

1692. By letter dated September 4, 2015, the USOR Site PRP Group notified J.L.H. Automotive of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered J.L.H. Automotive the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

1693. To date, J.L.H. Automotive has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1694. According to USOR Site Records, from at least October 2003 to November 2003, Defendant JTB Recycling Facility, Inc. (“JTB Recycling”) accepted for transport to the USOR Site, which was selected by JTB Recycling, and/or by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or

treatment of waste owned or possessed by JTB Recycling, at least 39,899 gallons of waste containing hazardous substances at the USOR Site.

1695. The waste streams JTB Recycling generated, transported and/or arranged for disposal are described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

1696. On certain occasions, JTB Recycling arranged with transporters Earth America, J&R Services, and Defendant Lewis’ Acres Services, Inc. to transport JTB Recycling’s waste streams to the USOR Site.

1697. The waste streams JTB Recycling generated, transported to and/or arranged for disposal at the USOR Site fall within the definition of “solid waste” under the TSWDA.

1698. By letter dated December 5, 2013, the USOR Site PRP Group notified JTB Recycling of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered JTB Recycling the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

1699. To date, JTB Recycling has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1700. Alternatively, Defendant Kindra Environmental Enterprises, Inc. (“Kindra Environmental”) is the successor to and/or is formerly known as and/or does business as JTB Recycling and is responsible for the waste streams attributable to JTB Recycling, as alleged in paragraph nos. 1694-1695 above.

1701. Upon information and belief, Kindra Environmental has continued the uninterrupted business activities of JTB Recycling in the same location and retained certain employees and corporate personnel of JTB Recycling.

1702. By letter dated September 18, 2015, the USOR Site PRP Group notified Kindra Environmental of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Kindra Environmental the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

1703. To date, Kindra Environmental has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1704. According to USOR Site Records, in at least February 2006, Defendant Jeff's Kitchen, Meat Market and Smoke House ("Jeff's Kitchen") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 50 gallons of waste containing hazardous substances owned or possessed by Jeff's Kitchen, at the USOR Site.

1705. The waste generated by Jeff's Kitchen is described on USOR Site Records as "grease" and contained some or all of the following hazardous substances: acetone, arsenic, benzene, cadmium, chromium, copper, dichlorobenzene, dichloroethylene, lead, methylene chloride, molybdenum, selenium, trichloroethane, trichloroethylene and/or zinc.

1706. On certain occasions, Jeff's Kitchen arranged with transporter A-Affordable Vacuum Services to transport Jeff's Kitchen's waste streams to the USOR Site.

1707. The waste streams generated by Jeff's Kitchen fall within the definition of "solid waste" under the TSWDA.

1708. By letter dated September 4, 2015, the USOR Site PRP Group notified Jeff's Kitchen of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Jeff's Kitchen the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

1709. To date, Jeff's Kitchen has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1710. According to USOR Site Records, from at least January to December 2004, Defendant Jiffy Lube ("Jiffy Lube") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 10,440 gallons of waste containing hazardous substances owned or possessed by Jiffy Lube, at the USOR Site.

1711. The waste streams generated by Jiffy Lube are described on USOR Site Records as "oily water" and contained some or all of the following hazardous substances: acetone, benzene, chromium, ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or zinc.

1712. On certain occasions, Jiffy Lube arranged with transporters Defendant CKG Services LLC, and Approved Remediation & Recycling of Oil Waste.

1713. The waste streams generated by Jiffy Lube fall within the definition of "solid waste" under the TSWDA.



1714. By letter dated February 27, 2015, the USOR Site PRP Group notified Jiffy Lube of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Jiffy Lube the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

1715. To date, Jiffy Lube has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1716. According to USOR Site Records, from at least February 2006 to March 2006, Defendant John's Broiler Burger ("John's Burger") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 40 gallons of waste containing hazardous substances owned or possessed by John's Burger, at the USOR Site.

1717. The waste generated by John's Burger is described on USOR Site Records as "grease" and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

1718. On certain occasions, John's Burger arranged with transporter Defendant Public Sanitary Works, Inc. to transport John's Burger's waste streams to the USOR Site.

1719. The waste streams generated by John's Burger fall within the definition of "solid waste" under the TSWDA.

1720. By letter dated September 4, 2015, the USOR Site PRP Group notified John's Burger of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or

threatened release of hazardous substances at the USOR Site; and offered John's Burger the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

1721. To date, John's Burger has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1722. According to USOR Site Records, from at least February 2004 to September 2005, Defendant K-3 Resources, L.P. ("K-3 Resources"), doing business as K-3BMI ("K-3BMI") accepted at least 209,700 gallons of waste containing hazardous substances for transport to the USOR Site, which was selected by K-3 Resources.

1723. The waste streams transported by K-3 Resources are described on USOR Site Records as "organic," "non DOT regulated material (rainwater)," "very dilute aqueous waste containing more than 99 percent water (rainwater runoff)," "non hazardous waste water," "non haz/non-regulated waste water," "non-hazardous/non-regulated wastewater," "non haz-non regulated ww," "(non haz) (non regulated) waste water," "regular plant waste water non-hazardous/non-regulated liquid" and "very dilute aqueous waste containing more than 99 percent water (fire and storm water)" and contained some or all of the following hazardous substances: acetone, cadmium, chromium, copper, dichloroethylene, lead, methyl ethyl ketone, methylene chloride, nickel, toluene, trichloroethane, trichloroethylene and/or zinc.

1724. The waste streams transported by K-3 Resources to the USOR Site were generated by All Chem Services, Inc., Defendant Bolivar Barge Cleaning Services, Champion Technologies, Inc., Contractor Technology, Schlumberger Technology Co. and TNG Utilities.

1725. The waste streams transported to the USOR Site by K-3 Resources fall within the definition of "solid waste" under the TSWDA.

1726. By letter dated June 24, 2015, the USOR Site PRP Group notified K-3 Resources of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered K-3 Resources the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

1727. To date, K-3 Resources has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1728. According to USOR Site Records, in at least February 2006, Defendant KHSS Ventures, Inc. doing business as Skillet's ("KHSS Ventures") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 1,000 gallons of waste containing hazardous substances owned or possessed by KHSS Ventures, at the USOR Site.

1729. The waste generated by KHSS Ventures is described on USOR Site Records as "grease" and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

1730. On certain occasions, KHSS Ventures arranged with transporter Defendant Consolidated Waste, LLC, doing business as Liquid Waste Solutions, to transport KHSS Venture's waste streams to the USOR Site.

1731. The waste streams generated by KHSS Ventures fall within the definition of "solid waste" under the TSWDA.

1732. By letter dated September 25, 2015, the USOR Site PRP Group notified KHSS Ventures of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or

threatened release of hazardous substances at the USOR Site; and offered KHSS Ventures the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

1733. To date, KHSS Ventures has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1734. According to USOR Site Records, from at least February 2006 to March 2006, Defendant KSRY Food Chain Enterprise, Inc. doing business as China Stix ("China Stix") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 40 gallons of waste containing hazardous substances owned or possessed by China Stix, at the USOR Site.

1735. The waste generated by China Stix is described on USOR Site Records as "grease" and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

1736. On certain occasions, China Stix arranged with transporter Defendant Public Sanitary, Inc. to transport China Stix's waste streams to the USOR Site.

1737. The waste streams generated by China Stix fall within the definition of "solid waste" under the TSWDA.

1738. By letter dated August 14, 2015, the USOR Site PRP Group notified China Stix of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered China Stix the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

1739. To date, China Stix has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1740. According to USOR Site Records, from at least December 2005 to March 2006, Defendant Karen & Karen, Inc. doing business as Piatto Ristorante (“Karen & Karen”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 2,000 gallons of waste containing hazardous substances owned or possessed by Karen & Karen, at the USOR Site.

1741. The waste generated by Karen & Karen is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

1742. On certain occasions, Karen & Karen arranged with transporter Defendant Consolidated Waste, LLC, doing business as Liquid Waste Solutions, to transport Karen & Karen’s waste streams to the USOR Site.

1743. The waste streams generated by Karen & Karen fall within the definition of “solid waste” under the TSWDA.

1744. By letter dated September 4, 2015, the USOR Site PRP Group notified Karen & Karen of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Karen & Karen the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

1745. To date, Karen & Karen has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1746. According to USOR Site Records, from at least November 2006 to December 2008, Defendant Katy Independent School District (“Katy ISD”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for

disposal or treatment, at least 1,044 gallons of waste containing hazardous substances owned or possessed by Katy ISD, at the USOR Site.

1747. On certain occasions, the waste streams Katy ISD generated, transported and/or arranged for disposal were RCRA hazardous waste described on USOR Site Records as “waste paint related material 3, UN1263, PG III (universal),” “waste paint related material 3, UN1263, PG III (paint solids, universal)” and “waste paint related material including paint thinning, 3, UN1263, PG III (oil base paint).”

1748. On certain occasions, the waste streams Katy ISD generated, transported and/or arranged for disposal are described on USOR Site Records as “non-RCRA non-hazardous (latex paint)” and contained some or all of the following hazardous substances: acetone, asbestos, benzene, benzo(a)anthracene, benzo(a)pyrene, cadmium, chromium, cobalt copper, cresol, dichlorobenzene, dichloroethylene, ethyl benzene, lead, manganese, methylene chloride, methyl ethyl ketone, molybdenum, nickel, perchloroethylene, phenanthrene, selenium, silver, tin, toluene, trichloroethane, trichloroethylene, vinyl chloride, xylenes and/or zinc.

1749. On certain occasions, Katy ISD arranged with transporters Defendant Top Notch Transportation, Inc. and Defendant Legacee International Environmental Services, Inc., doing business as Texas Waste Carriers, to transport Katy ISD’s waste streams to the USOR Site.

1750. The waste streams Katy ISD generated, transported to and/or arranged for disposal at the USOR Site fall within the definition of “solid waste” under the TSWDA.

1751. Katy ISD entered into a series of tolling agreements with the USOR PRP Group, which tolled all applicable statutes of limitation from August 1, 2014 through the date of this Second Amended Complaint.

1752. To date, Katy ISD has refused to cooperate with the USOR Site PRP Group and has not paid its equitable share of response costs incurred by the USOR Site PRP Group at the USOR Site.

1753. According to USOR Site Records, from at least July 2004 to September 2007, Defendant Kelly-Springfield (“Kelly-Springfield”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 124,814 gallons of waste containing hazardous substances owned or possessed by Kelly-Springfield, at the USOR Site.

1754. The waste streams generated by Kelly-Springfield are described on USOR Site Records as “wastewater from scrubber system,” “non DOT regulated material sump solids of trash, rubber, debris and water,” “non DOT regulated material (air scrubber wastewater),” “non DOT regulated material (air scrubber water)” and contained some or all of the following hazardous substances: acetone, benzene, cadmium, chromium, copper, dichloroethylene, lead, methyl ethyl ketone, methylene chloride, nickel, perchloroethylene, toluene, trichloroethane, trichloroethylene, vinyl chloride, xylenes and/or zinc.

1755. On certain occasions, Kelly-Springfield arranged with transporters Eagle Construction & Environmental, Evergreen, Defendant GC Remediation Ltd., Defendant Triad Transport Inc. to transport Kelly-Springfield’s waste streams to the USOR Site.

1756. The waste streams generated by Kelly-Springfield fall within the definition of “solid waste” under the TSWDA.

1757. To date, Kelly-Springfield has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1758. According to USOR Site Records, from at least May to June 2004, Defendant Key Energy Services, Inc. (“Key Energy”) accepted at least 76,300 gallons of waste containing hazardous substances for transport to the USOR Site, which was selected by Key Energy.

1759. The waste streams transported by Key Energy are described on USOR Site Records as including but not limited to “non DOT regulated material (rainwater) rainwater from Genesis test rig,” “non DOT regulated material (drilling mud),” “rainwater from Genesis test rig,” and “non DOT regulated material (aqueous oilfield chemicals)” and contained some or all of the following hazardous substances: acetone, benzene, chromium, ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or zinc.

1760. The waste streams Key Energy transported to the USOR Site were generated by including but not limited to Schlumberger Tech.

1761. The waste streams transported to the USOR Site by Key Energy fall within the definition of “solid waste” under the TSWDA.

1762. To date, Key Energy has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1763. According to USOR Site Records, from at least October 2005 to March 2006, Defendant Keyaan LLC doing business as Monterrey Food City (“Kyaan”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 1,000 gallons of waste containing hazardous substances owned or possessed by Keyaan, at the USOR Site.

1764. The waste generated by Keyaan is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: acetone, arsenic, benzene,



cadmium, chromium, copper, dichlorobenzene, dichloroethylene, lead, methylene chloride, molybdenum, nickel, trichloroethane, trichloroethylene, selenium and/or zinc.

1765. On certain occasions, Keyaan arranged with transporter Defendant Public Sanitary Works, Inc. to transport Keyaan's waste streams to the USOR Site.

1766. The waste streams generated by Keyaan fall within the definition of "solid waste" under the TSWDA.

1767. By letter dated October 2, 2015, the USOR Site PRP Group notified Keyaan of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Keyaan the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

1768. To date, Keyaan has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1769. Alternatively, Defendant Monterey's Acquisition Corp. doing business as Monterey's Little Mexico ("Monterey's") is responsible for the waste streams attributable to Keyaan, as alleged in paragraph nos. 1763-1764 above.

1770. To date, Monterey's has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1771. Defendant Kindra Environmental Enterprises, Inc. ("Kindra Environmental") is the successor to and/or is formerly known as and/or does business as J&R Services ("J&R Services").

1772. According to Texas Secretary of State records, Kindra Environmental did business as J&R Services from at least 1994 to 2004.

1773. Upon information and belief, Kindra Environmental continued the uninterrupted business activities of J&R Services in the same location and retained certain employees and corporate personnel of J&R Services.

1774. According to USOR Site Records, from at least October 2003 to November 2003, J&R Services accepted for transport to the USOR Site, which was selected by J&R Services, and/or by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment of waste owned or possessed by J&R Services, at least 7,300 gallons of waste containing hazardous substances at the USOR Site.

1775. The waste streams J&R Services generated, transported and/or arranged for disposal are described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

1776. On certain occasions, J&R Services transported its own waste streams to the USOR Site.

1777. On other occasions, J&R Services arranged with transporter Defendant Lewis’ Acres Services, Inc. to transport J&R Services’ waste streams to the USOR Site.

1778. The waste streams J&R Services generated, transported to and/or arranged for disposal at the USOR Site fall within the definition of “solid waste” under the TSWDA.

1779. By letter dated September 18, 2015, the USOR Site PRP Group notified Kindra Environmental of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Kindra Environmental the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

1780. To date, Kindra Environmental has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1781. According to USOR Site Records, from at least October 2003 to September 2004, Defendant Kirby Inland Marine, LP (“Kirby Marine”) accepted for transport to the USOR Site, which was selected by Kirby Marine, and/or by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment of waste owned or possessed by Kirby Marine, at least 113,300 gallons of waste containing hazardous substances at the USOR Site.

1782. The waste streams Kirby Marine generated, transported and/or arranged for disposal are described on USOR Site Records as “oil,” “oily,” “oily water,” “recyclable” and contained some or all of the following hazardous substances: acetone, benzene, chromium, ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or zinc.

1783. On certain occasions, Kirby Marine transported its own waste streams to the USOR Site.

1784. On other occasions, Kirby Marine arranged with transporters Gator Environmental and Defendant GC Remediation, Ltd. to transport Kirby Marine’s waste streams to the USOR Site.

1785. The waste streams Kirby Marine generated, transported and/or arranged for disposal at the USOR Site fall within the definition of “solid waste” under the TSWDA.

1786. By letter dated April 24, 2015, the USOR Site PRP Group notified Kirby Marine of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened

release of hazardous substances at the USOR Site; and offered Kirby Marine the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

1787. To date, Kirby Marine has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1788. According to USOR Site Records, in at least March 2006, Defendant Kirby's Steakhouse, Ltd. ("Kirby's Steakhouse") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 2,500 gallons of waste containing hazardous substances owned or possessed by Kirby's Steakhouse, at the USOR Site.

1789. The waste generated by Kirby's Steakhouse is described on USOR Site Records as "grease" and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

1790. On certain occasions, Kirby's Steakhouse arranged with transporter Earth America to transport Kirby Steakhouse's waste streams to the USOR Site.

1791. The waste streams generated by Kirby's Steakhouse fall within the definition of "solid waste" under the TSWDA.

1792. By letter dated September 4, 2015, the USOR Site PRP Group notified Kirby's Steakhouse of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Kirby's Steakhouse the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

1793. To date, Kirby's Steakhouse has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1794. According to USOR Site Records, in at least March 2006, Defendant Kurumaya Restaurant, Ltd. doing business as Sushi Jin ("Kurumaya") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 800 gallons of waste containing hazardous substances owned or possessed by Kurumaya, at the USOR Site.

1795. The waste generated by Kurumaya's described on USOR Site Records as "grease" and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

1796. On certain occasions, Kurumaya arranged with transporter Defendant Public Sanitary Works, Inc. to transport Kurumaya's waste streams to the USOR Site.

1797. The waste streams generated by Kurumaya fall within the definition of "solid waste" under the TSWDA.

1798. By letter dated September 4, 2015, the USOR Site PRP Group notified Kurumaya of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Kurumaya the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

1799. To date, Kurumaya has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1800. Defendant LEL Environmental, Ltd. (“LEL Environmental”) is the successor to and/or is formerly known as Lexxus Environmental, Ltd. (“Lexxus Environmental”).

1801. In or about May 2009, Lexxus Environmental was renamed LEL Environmental.

1802. LEL Environmental has continued the uninterrupted business activities of Lexxus Environmental and retained certain employees and corporate personnel of Lexxus Environmental.

1803. According to USOR Site Records, Lexxus Environmental by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 487,410 gallons of waste containing hazardous substances owned or possessed by Lexxus Environmental, at the USOR Site.

1804. The waste streams Lexxus Environmental arranged for disposal were RCRA hazardous waste described on USOR Site Records as including but not limited to “waste corrosive liquid, flammable, n.o.s. contains aluminum chloride and heptane,” “magnesium chloride water w/trace heptane,” and “potassium hydroxide, heptane and water,.”

1805. The waste streams Lexxus Environmental arranged for disposal are also described on USOR Site Records as including but not limited to “oily water,” “non hazardous rinse water,” “wash water” and contained some or all of the following hazardous substances: acetone, cadmium, chromium, copper, dichloroethylene, lead, methylene chloride, methyl ethyl ketone, nickel, toluene, trichloroethane, trichloroethylene and/or zinc.

1806. The waste streams Lexxus Environmental arranged for disposal at the USOR Site were generated by including but not limited to Akzo Nobel, Defendant Alliance Pastex, LLC, APC, Blen Tech and H2O Industrial.

1807. The waste streams Lexxus Environmental arranged for disposal at the USOR Site fall within the definition of “solid waste” under the TSWDA.

1808. By letters dated December 5, 2013 and June 4, 2014, the USOR Site PRP Group notified Lexxus Environmental of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Lexxus Environmental the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

1809. To date, LEL Environmental has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1810. According to USOR Site Records, in at least November 2005, Defendant LH Neat Services, LLC doing business as Kim Hai Chinese and Vietnamese (“LH Neat”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 4,180 gallons of waste containing hazardous substances owned or possessed by LH Neat, at the USOR Site.

1811. The waste generated by LH Neat is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

1812. On certain occasions, LH Neat arranged with transporter Unique Sanitation to transport LH Neat’s waste streams to the USOR Site.

1813. The waste streams generated by LH Neat fall within the definition of “solid waste” under the TSWDA.

1814. By a letter dated September 18, 2015, the USOR Site PRP Group notified LH Neat of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered LH Neat the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

1815. To date, LH Neat has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1816. According to USOR Site Records, in at least February 2006, Defendant La Baguette French Bakery ("La Baguette") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 750 gallons of waste containing hazardous substances owned or possessed by La Baguette, at the USOR Site.

1817. The waste generated by La Baguette is described on USOR Site Records as "grease" and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

1818. On certain occasions, La Baguette arranged with transporter A-Affordable Vacuum Services to transport La Baguette's waste streams to the USOR Site.

1819. The waste streams generated by La Baguette fall within the definition of "solid waste" under the TSWDA.

1820. By letter dated August 25, 2015, the USOR Site PRP Group notified La Baguette of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened



release of hazardous substances at the USOR Site; and offered La Baguette the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

1821. To date, La Baguette has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1822. Defendant La Casa Del Cabrito Mexican Restaurant & Bar ("Cabrito Restaurant") is the successor to Los Campos Mexican Restaurant & Bar ("Los Campos Restaurant").

1823. Upon information and belief, Cabrito Restaurant has continued the uninterrupted business activities of Los Campos Restaurant, at the same location, under the same ownership as that of Los Campos Restaurant.

1824. According to USOR Site Records, in at least November 2005, Los Campos Restaurant by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 800 gallons of waste containing hazardous substances owned or possessed by Los Campos Restaurant, at the USOR Site.

1825. The waste generated by Los Campos Restaurant is described on USOR Site Records as "grease" and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, methyl ethyl ketone, methylene chloride, molybdenum, nickel, selenium, trichloroethane, trichloroethylene and/or zinc.

1826. On certain occasions, Los Campos Restaurant arranged with transporter Defendant Public Sanitary Works, Inc. to transport Los Campos Restaurant's waste streams to the USOR Site.

1827. The waste streams generated by Los Campos Restaurant fall within the definition of "solid waste" under the TSWDA.

1828. By letter dated September 4, 2015, the USOR Site PRP Group notified Cabrito Restaurant of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Cabrito Restaurant the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

1829. To date, Cabrito Restaurant has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1830. According to USOR Site Records, in at least March 2006, Defendant La Colombe d'Or Restaurant and Hotel, LLC ("La Colombe") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 850 gallons of waste containing hazardous substances owned or possessed by La Colombe, at the USOR Site.

1831. The waste generated by La Colombe is described on USOR Site Records as "grease" and contained some or all of the following hazardous substances: acetone, arsenic, benzene, cadmium, chromium, dichloroethylene, lead, methyl ethyl ketone, methylene chloride, perchloroethylene, toluene, trichloroethane, trichloroethylene, vinyl chloride, xylenes and/or zinc.

1832. On certain occasions, La Colombe arranged with transporter Defendant Public Sanitary Works, Inc. to transport La Colombe's waste streams to the USOR Site.

1833. The waste streams generated by La Colombe fall within the definition of "solid waste" under the TSWDA.

1834. By letter dated September 25, 2015, the USOR Site PRP Group notified La Colombe of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered La Colombe the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

1835. To date, La Colombe has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1836. According to USOR Site Records, in at least February 2006, Defendant La Moreliana, Corp. doing business as La Moreliana Meat Market ("La Moreliana") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 1,650 gallons of waste containing hazardous substances owned or possessed by La Moreliana, at the USOR Site.

1837. The waste generated by La Moreliana is described on USOR Site Records as "grease" and contained some or all of the following hazardous substances: acetone, arsenic, benzene, cadmium, chromium, copper, dichlorobenzene, dichloroethylene, lead, mercury, methylene chloride, molybdenum, nickel, selenium, trichloroethane, trichloroethylene and/or zinc.

1838. On certain occasions, La Moreliana arranged with transporter A-Affordable Vacuum Services to transport La Moreliana's waste streams to the USOR Site.

1839. The waste streams generated by La Moreliana fall within the definition of "solid waste" under the TSWDA.

1840. By letter dated September 25, 2015, the USOR Site PRP Group notified La Moreliana of the existence of the release or threatened release of hazardous substances at the

USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered La Moreliana the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

1841. To date, La Moreliana has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1842. According to USOR Site Records, from at least February 2006 to March 2006, Defendant La Pupusa Loca Restaurant ("La Pupusa") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 1,411 gallons of waste containing hazardous substances owned or possessed by La Pupusa, at the USOR Site.

1843. The waste generated by La Pupusa is described on USOR Site Records as "grease" and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

1844. On certain occasions, La Pupusa arranged with transporter Defendant Public Sanitary Works, Inc. to transport La Pupusa's waste streams to the USOR Site.

1845. The waste streams generated by La Pupusa fall within the definition of "solid waste" under the TSWDA.

1846. By letter dated October 2, 2015, the USOR Site PRP Group notified La Pupusa of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered La Pupusa the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

1847. To date, La Pupusa has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1848. Defendant LaBarge Coating, LLC (“LaBarge Coating”) is the successor to Tubular Processors USA Ltd. (“Tubular Processors”).

1849. Upon information and belief, in or about February 2006, LaBarge Coating acquired Tubular Processors USA Ltd. through Dillco Tubular, Inc.

1850. According to USOR Site Records, in at least November 2004, Tubular Processors by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 2,688 gallons of waste containing hazardous substances owned or possessed by Tubular Processors, at the USOR Site.

1851. The waste streams generated by Tubular Processors are described on USOR Site Records as “oily water” and “oily emulsion” and contained some or all of the following hazardous substances: acetone, benzene, chromium, ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or zinc.

1852. On certain occasions, Tubular Processors arranged with transporter Nighthawk Transport to transport Tubular Processors’ waste streams to the USOR Site.

1853. The waste streams generated by Tubular Processors and/or transported to the USOR Site by Tubular Processors fall within the definition of “solid waste” under the TSWDA.

1854. By letter dated December 5, 2013, the USOR Site PRP Group notified Tubular Processors of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Tubular Processors the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

1855. To date, LaBarge Coating has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1856. According to USOR Site Records, in at least November 2005, Defendant Lafayette Cajun Seafood (“Lafayette Seafood”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 1,000 gallons of waste containing hazardous substances owned or possessed by Lafayette Seafood, at the USOR Site.

1857. The waste generated by Lafayette Seafood is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

1858. On certain occasions, Lafayette Seafood arranged with transporter A-Affordable Vacuum Services to transport Lafayette Seafood’s waste streams to the USOR Site.

1859. The waste streams generated by Lafayette Seafood fall within the definition of “solid waste” under the TSWDA.

1860. By letter dated September 25, 2015 the USOR Site PRP Group notified Lafayette Seafood of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Lafayette Seafood the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

1861. To date, Lafayette Seafood has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1862. According to USOR Site Records, from at least December 2005 to January 2006, Defendant Lambo Inc. doing business as Lam Bo (“Lam Bo”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 2,400 gallons of waste containing hazardous substances owned or possessed by Lam Bo, at the USOR Site.

1863. The waste generated by Lam Bo is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

1864. On certain occasions, Lam Bo arranged with transporter Defendant Consolidated Waste, LLC, doing business as Liquid Waste Solutions, to transport Lam Bo’s waste streams to the USOR Site.

1865. The waste streams generated by Lam Bo fall within the definition of “solid waste” under the TSWDA.

1866. By letter dated September 4, 2015, the USOR Site PRP Group notified Lam Bo of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Lam Bo the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

1867. To date, Lam Bo has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1868. According to USOR Site Records, in at least December 2005, Defendant Larry’s Bar-B-Q (“Larry’s BBQ”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 1,000

gallons of waste containing hazardous substances owned or possessed by Larry's BBQ, at the USOR Site.

1869. The waste generated by Larry's BBQ is described on USOR Site Records as "grease" and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

1870. On certain occasions, Larry's BBQ arranged with transporter Defendant Consolidated Waste, LLC, doing business as Liquid Waste Solutions, to transport Larry's BBQ's waste streams to the USOR Site.

1871. The waste streams generated by Larry's BBQ fall within the definition of "solid waste" under the TSWDA.

1872. By letter dated September 4, 2015, the USOR Site PRP Group notified Larry's BBQ of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Larry's BBQ the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

1873. To date, Larry's BBQ has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1874. According to USOR Site Records, from at least November 2005 to February 2006, Defendant Las Hadas Mexican Restaurant, Inc. ("Las Hadas") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 1,200 gallons of waste containing hazardous substances owned or possessed by Las Hadas, at the USOR Site.



1875. The waste generated by Las Hadas is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

1876. On certain occasions, Las Hadas arranged with transporter Defendant Consolidated Waste, LLC, doing business as Liquid Waste Solutions, to transport Las Hadas’ waste streams to the USOR Site.

1877. The waste streams generated by Las Hadas fall within the definition of “solid waste” under the TSWDA.

1878. By letter dated September 4, 2015, the USOR Site PRP Group notified Las Hadas of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Las Hadas the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

1879. To date, Las Hadas has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1880. According to USOR Site Records, in at least March 2006, Defendant Latipac Commercial, Inc. (“Latipac”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 2,320 gallons of waste containing hazardous substances owned or possessed by Latipac, at the USOR Site.

1881. The waste streams generated by Latipac are described on USOR Site Records as “oily” and “oil, water, sand from elevator shaft” and contained some or all of the following

hazardous substances: acetone, benzene, chromium, ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or zinc.

1882. Latipac arranged with transporter Defendant Specialized Maintenance Services, Inc. to transport Latipac's waste streams to the USOR Site

1883. The waste streams generated by Latipac fall within the definition of "solid waste" under the TSWDA.

1884. By letters dated December 5, 2013 and December 12, 2014, the USOR Site PRP Group notified Latipac of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Latipac the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

1885. To date, Latipac has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1886. Alternatively, Defendant Whole Foods Market, Inc. ("Whole Foods") is responsible for the waste streams attributable to Latipac, as alleged in paragraph nos. 1880-1881 above.

1887. By letter dated September 18, 2015, the USOR Site PRP Group notified Whole Foods of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Whole Foods the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

1888. To date, Whole Foods has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1889. According to USOR Site Records, in at least November 2005, Defendant Lazeeza Restaurant (“Lazeeza”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 500 gallons of waste containing hazardous substances owned or possessed by Lazeeza, at the USOR Site.

1890. The waste generated by Lazeeza is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

1891. On certain occasions, Lazeeza arranged with transporter Defendant Consolidated Waste, LLC, doing business as Liquid Waste Solutions, to transport Lazeeza’s waste streams to the USOR Site.

1892. The waste streams generated by Lazeeza fall within the definition of “solid waste” under the TSWDA.

1893. By letter dated September 4, 2015, the USOR Site PRP Group notified Lazeeza of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Lazeeza the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

1894. To date, Lazeeza has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1895. According to USOR Site Records, in at least February 2006, Defendant Le Cep, Inc. doing business as Bistro Le Cep (“Bistro Le Cep”) by contract, agreement, or otherwise

arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 2,000 gallons of waste containing hazardous substances owned or possessed by Bistro Le Cep, at the USOR Site.

1896. The waste generated by Bistro Le Cep is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

1897. On certain occasions, Bistro Le Cep arranged with transporter Defendant Public Sanitary Works, Inc. to transport Bistro Le Cep’s waste streams to the USOR Site.

1898. The waste streams generated by Bistro Le Cep fall within the definition of “solid waste” under the TSWDA.

1899. By letter dated August 14, 2015, the USOR Site PRP Group notified Bistro Le Cep of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Bistro Le Cep the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

1900. To date, Bistro Le Cep has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1901. Defendant League City, Texas (“League City”) owns League City Sports Park.

1902. According to USOR Site Records, in at least January 2006, League City Sports Park by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 2,700 gallons of waste containing hazardous substances owned or possessed by League City Sports Park, at the USOR Site.

1903. The waste streams generated by League City Sports Park are described on USOR Site Records as “grease trap non hazardous” and contained some or all of the following hazardous substances: acetone, benzene, cadmium, chromium, copper, dichlorobenzene, dichloroethylene, lead, methyl ethyl ketone, methylene chloride, nickel, toluene, trichloroethane, trichloroethylene and/or zinc.

1904. League City Sports Park arranged with transporter Defendant NAOR to transport League City Sports Park’s waste streams to the USOR Site.

1905. The waste streams generated by League City Sports Park fall within the definition of “solid waste” under the TSWDA.

1906. By letters dated May 8, 2014 and February 20, 2015, the USOR Site PRP Group notified League City Sports Park and League City, respectively, of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered League City Sports Park the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

1907. To date, League City has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1908. According to USOR Site Records, from at least September 2003 to February 2009, Legacee International Environmental Services, Inc. doing business as Texas Waste Carriers (“Legacee”) accepted for transport to the USOR Site, which was selected by Legacee, and/or by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment of waste owned or possessed by Legacee, at least 7,562,897 gallons of waste containing hazardous substances at the USOR Site.

1909. On certain occasions, the waste streams Legacee generated, transported and/or arranged for disposal were RCRA hazardous waste described on USOR Site Records as “RQ waste corrosive solid, acidic,” “stripper (potassium hydroxide),” “paint univ209H,” “flammable organic heel liquids,” “waste paint related material 8, UN3066, PG III,” “waste flammable resin,” “waste flammable liquids, n.o.s. 3, UN 1993, PG III,” “waste paint related material including paint thinning, 3, UN1263, PG III,” “waste paint related material including drying, removing, 3UN1263III (acetone [sic] & rags) universal,” “RQ waste flammable liquids,” “benzene sludge, flammable solids,” “corrosive heel-acidic,” “mag chloride w/heptane,” “hazardous waste,” “paint related material (universal haz),” “RQ waste corrosive solid, acidic (sulfuric acid),” “RQ waste flammable liquids, n.o.s. 3, UN1993, PG I (flammable rinse),” “hydrochloric solution,” “caustic liquid,” “caustic solution,” “caustic and water,” “RQ waste isopropanol 3, UN1219, PG II,” “RQ waste flammable liquids, n.o.s. 3, UN1993, PG I (organic heel),” “waste corrosive liquids, flammable, n.o.s. 8, UN2920, PG II,” “sulfuric acid & water,” “RQ paint related material 3, UN1263, PG II (universal waste),” “RQ waste corrosive liquids, n.o.s. 8, UN1760, PG III (acetic),” “waste combustible liquid, n.o.s. NA1993, PG III (lapping vehicle & sludge),” “waste flammable liquids, n.o.s. 3, UN1993, PG III (xylene, gum resin),” “waste corrosive liquid, acidic, inorganic, n.o.s. 8, UN3264, PG III,” “waste paint related material including paint thinning, 3, UN1263, PG III (oil base paint)” and “waste corrosive liquid, acidic, inorganic, n.o.s., 8, UN3264, PG III (sulfuric, hydrochloric acid).”

1910. On certain occasions, the waste streams Legacee generated, transported and/or arranged for disposal are described on USOR Site Records as “non DOT regulated material,” “non-haz non-RCRA waste water,” “sump sludge and water,” “first flush waste water,” “non RCRA non haz tank bottoms,” “non hazardous epoxy sludge,” “non-hazardous non-RCRA waste

water (oily rinse water),” “non-hazardous non-RCRA waste water (first flush),” “non-hazardous non-RCRA waste water (final rinse),” “colored solvent,” “non-hazardous non-RCRA (virgin products),” “non-RCRA (oily water separator sludge),” “waste oil,” “wax and water,” “non-RCRA non-hazardous metal drums,” “non-RCRA non-hazardous poly drums,” “non-RCRA non-hazardous (oil and water),” “oil and dirt (drums),” “broken glass,” “off spec heel sludge,” “polishing rinsewater,” “jet cutting sand,” “waste paint,” “oily floor dry,” “latex paint,” “used oil and water mixture,” “non-hazardous non-RCRA waste water (bilge water),” “chlorinated rinsewater,” “non hazardous (latex contaminated with MEK),” “cutting sand,” “styrene rinsewater,” “antifreeze and water,” “oil & filters,” “gasoline and water,” “oil and absorbents,” “non hazardous non RCRA petroleum solids,” “non-RCRA non-hazardous paint booth filters,” “adhesive glue,” “non hazardous (phosphate sludge),” “waste latex paint,” “universal waste paint,” “non RCRA non haz tank bottoms,” “dimethyl disulfide oily sump water,” “empty drums,” “non RCRA developer solution,” “organic heel of carbon black,” “non-hazardous cleaning vac solution,” “plasma waste water,” “chrome rinsewater,” “electroless nickel solution,” “waste cutting oil,” “solvent rags,” “sandblast,” “coolant mud,” “carburetor cleaner,” “latex rinse water,” “lab rinsewater,” “paint filters,” “non-RCRA non-hazardous (hydraulic oil),” “bilge water & diesel,” “non RCRA, nonhazardous (monoammonium phosphate),” “non hazardous non regulated by DOT (class 1),” “bilge water,” “non-hazardous virgin product (heel drainage),” “spent acid rinsewater,” “non-RCRA non hazardous (grease),” “nickel rinsewater” and “coolant and water,” and contained some or all of the following hazardous substances: acetone, arsenic, benzene, benzo(a)anthracene, benzo(a)pyrene, cadmium, chromium, cobalt, copper, dichloroethylene, lead, manganese, methyl ethyl ketone, methylene chloride, nickel,

perchloroethylene, silver, tin, toluene, trichloroethane, trichloroethylene, vinyl chloride, xylenes and/or zinc.

1911. On certain occasions, Legacee transported and/or arranged for disposal of waste streams generated by Accurate Precision Plating, AeroJet General Corporation, AKZO Nobel, Defendant Alief Independent School District, American Valve & Hydrant, Avis Rent A Car, BC&L Pavement, Beaumont Iron Work, BJ Process & Pipeline, Defendant Boaters' Resale Shop of Texas, CDM Construction, Century Industrial Coating, Defendant Chemical Transport, Inc., Claude Fomby, Defendant Delta Specialty Coatings LLC, DeVries Inc., Domco Products Texas, LP, Energy Power, Enterprise Transportation Company, ESR, Inc., ETC, Field Services, Garlock Metallic Gasket, Genosys Biotechnologies, Grant Prideco, Green Hunter, Defendant Houston Independent School District, Houston Plating, Inkjet, Defendant Intra-Services Inc., K-Solv, LP, Defendant Katy Independent School District, Kemp, KMCO, Leedo Cabinetry, Defendant McClintock Corp., Metrix Inc., Micro Blaze, MTI Enviro, Nucor Vulcraft, PAC LP, Pipeline Valve Specialty, Orange Shipbuilding, Powell Electrical Manufacturing Co., R&M Services, Rigid Building Systems, Round Rock ISD, Defendant Stephen F. Austin State University, South Coast Terminals, Speed & Sport Chrome Plating, SPX Inc., T-3 Energy, TCEQ, Teadit Inc., Defendant Texas A&M University, Defendant Texas City Independent School District, Defendant Texas Couplings, L.P., Defendant Texas Department of Transportation, Defendant Texas General Land Office, Defendant Texas Southern University, Texas Tile Manufacturing, Defendant Texas International Box Company & Rentals, Inc., Title Tank, Turbine Chrome, Tru Logistics, Western Seafood Water Reclamation and Defendant Zust Bachmeier of Switzerland Inc.



1912. The waste streams Legatee generated, transported to and/or arranged for disposal at the USOR Site fall within the definition of “solid waste” under the TSWDA.

1913. Legatee entered into a series of tolling agreements with the USOR PRP Group, which tolled all applicable statutes of limitation from August 1, 2014 through the date of this Second Amended Complaint.

1914. To date, Legatee has refused to cooperate with the USOR Site PRP Group and has not paid its equitable share of response costs incurred by the USOR Site PRP Group at the USOR Site.

1915. According to USOR Site Records, in at least February 2008, Defendant Legacy Partners (“Legacy Partners”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 7,040 gallons of waste containing hazardous substances owned or possessed by Legacy Partners, at the USOR Site.

1916. The waste streams generated by Legacy Partners are described on USOR Site Records as “non haz petroleum impacted water” and contained some or all of the following hazardous substances: acetone, benzene, chromium, ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or zinc.

1917. Legacy Partners arranged with transporter Ensource Corp. to transport Legacy Partners’ waste streams to the USOR Site.

1918. The waste streams generated by Legacy Partners fall within the definition of “solid waste” under the TSWDA.

1919. By letters dated December 5, 2013 and December 12, 2014, the USOR Site PRP Group notified Legacy Partners of the existence of the release or threatened release of hazardous

substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Legacy Partners the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

1920. To date, Legacy Partners has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1921. According to USOR Site Records, from at least October 2003 to December 2003, Defendant Lewis' Acres Service, Inc. ("Lewis' Acres") accepted at least 12,999 gallons of waste containing hazardous substances for transport to the USOR Site, which was selected by Lewis' Acres.

1922. The waste streams transported by Lewis' Acres are described on USOR Site Records as "grease" and contained some or all of the following hazardous substances: acetone, benzene, chromium, copper, dichlorobenzene, dichloroethylene, lead, methylene chloride, trichloroethane, trichloroethylene and/or zinc.

1923. The waste streams Lewis' Acres transported to the USOR Site were generated by J&R Services and JTB Recycling.

1924. The waste streams transported to the USOR Site by Lewis' Acres fall within the definition of "solid waste" under the TSWDA.

1925. To date, Lewis' Acres has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1926. Defendant Life Care Centers of America, Inc. ("Life Care") is the owner and/or operator of The Vosswood Nursing Center ("Vosswood Center").

1927. According to USOR Site Records, from at least November 2005 to January 2006, Vosswood Center by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 6,000 gallons of waste containing hazardous substances owned or possessed by Vosswood Center, at the USOR Site.

1928. The waste generated by Vosswood Center is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, methyl ethyl ketone, methylene chloride, molybdenum, nickel, selenium, trichloroethane, trichloroethylene and/or zinc.

1929. On certain occasions, Vosswood Center arranged with transporter Defendant Public Sanitary Works, Inc. to transport Vosswood Center’s waste streams to the USOR Site.

1930. The waste streams generated by Vosswood Center fall within the definition of “solid waste” under the TSWDA.

1931. By letter dated September 25, 2015, the USOR Site PRP Group notified Life Care of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Life Care the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

1932. To date, Life Care has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1933. According to USOR Site Records, from at least June 2006 to July 2009, Defendant Lighthouse Environmental Services, Inc. (“Lighthouse Environmental”) accepted for transport to the USOR Site, which was selected by Lighthouse Environmental, and/or by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a

transporter for transport for disposal or treatment of waste owned or possessed by Lighthouse Environmental, at least 660,345 gallons of waste containing hazardous substances at the USOR Site.

1934. On certain occasions, the waste streams Lighthouse Environmental generated, transported and/or arranged for disposal were RCRA hazardous waste described on USOR Site Records as “flammable liquid n.o.s. (universal waste), 3, UN 1993, PG III,” “RQ waste corrosive liquid, acidic, inorganic, nos, 8, UN3264, PG III,” “flammable liquid, n.o.s. (petroleum product) 3, UN1993, PG III,” “waste corrosive liquid, inorganic, NOS 8, UN3225, PGIII,” “RQ waste corrosive liquids acidic inorganic nos (contains sulfuric acid) 18 UN3264 PG II,” “flammable liquid nos UN1993 PG II,” “flammable NOS un 1993 pigging waste,” “RQ flammable liquid NOS UN 1993 PG III,” “RQ waste flammable, paint waste, universal, UN 1993, PG III,” “RQ waste, corrosive, UN1833, sulphuric acid, PG III,” “UN-3262 PG 3 “sodium hydroxide”” and “flammable liquid n.o.s., 3, UN 1993 pipeline product PG III.”

1935. On certain occasions, the waste streams Lighthouse Environmental generated, transported and/or arranged for disposal are described on USOR Site Records as “haz-non-processed waste water,” “purge water,” “non process (KOH treater) wastewater,” “non processed (amine) wastewater,” “non-processed (merox) wastewater,” “pipeline belly water,” “oily water,” “rain water,” “non haz oily water,” “pigging waste,” “universal waste,” “sulphuric acid,” “non-haz ground water petroleum impacted water from UST pull,” “rain water,” “unused product (clorawax) non haz,” “pipeline pigging product,” “oily sludge from tank cleaning,” “slurry oil,” “non-haz, non-reg oily water for recycling,” “wash water from food grade tank,” “non-hazardous non-regulated spent trietnanolamine,” “non EPA and non DOT regulated oily [sic] water,” “non haz oily water,” “non-haz water & diesel from spill,” “pigging waste, light ends,” “recycled

hydrocarbons,” “IDW non-haz reg water,” “non-haz non reg chlrorowax 500,” “non haz non reg used oil,” “non-haz storm water clean out,” “non haz oily tank bottoms” and “waste water with crude oil sludge” and contained some or all of the following hazardous substances: acetone, arsenic, benzene, benzo(a)anthracene, benzo(a)pyrene, cadmium, chromium, cobalt, copper, dichloroethylene, lead, manganese, methyl ethyl ketone, methylene chloride, nickel, perchloroethylene, silver, tin, toluene, trichloroethane, trichloroethylene, vinyl chloride, xylenes and/or zinc.

1936. On certain occasions, Lighthouse Environmental transported and/or arranged for disposal of waste streams generated by Allied Alloy, Defendant Apple Auto Repair & Body Shop, Champion Auto Auction, Davis Industries, Energy Transfer, ESR Inc., Marathon Petroleum, MTI, Nortran Transportation, Pathfinder Energy Services, Pilot Industries of Texas, REM Texas Research Group Inc., SEM Group L.P., TEPPCO, Vopak and YMCA.

1937. On certain occasions, Lighthouse Environmental transported its own waste streams to the USOR Site.

1938. The waste streams Lighthouse Environmental generated, transported to and/or arranged for disposal at the USOR Site fall within the definition of “solid waste” under the TSWDA.

1939. Lighthouse Environmental entered into a series of tolling agreements with the USOR PRP Group, which tolled all applicable statutes of limitation from August 1, 2014 through the date of this Second Amended Complaint.

1940. To date, Lighthouse Environmental has refused to cooperate with the USOR Site PRP Group and has not paid its equitable share of response costs incurred by the USOR Site PRP Group at the USOR Site.

1941. According to USOR Site Records, in at least February 2006, Defendant Lin Ho Company doing business as The Pie Factory (“The Pie Factory”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 20 gallons of waste containing hazardous substances owned or possessed by The Pie Factory, at the USOR Site.

1942. The waste generated by The Pie Factory is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

1943. On certain occasions, The Pie Factory arranged with transporter Defendant Public Sanitary Works, Inc. to transport The Pie Factory’s waste streams to the USOR Site.

1944. The waste streams generated by The Pie Factory fall within the definition of “solid waste” under the TSWDA.

1945. By letter dated September 18, 2015, the USOR Site PRP Group notified The Pie Factory of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered The Pie Factory the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

1946. To date, The Pie Factory has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1947. According to USOR Site Records, in at least November 2005, Defendant Linh Anh Investments, Inc. doing business as A Ly Oriental Food Restaurant (“A Ly Oriental”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a

transporter for transport for disposal or treatment, at least 1,900 gallons of waste containing hazardous substances owned or possessed by A Ly Oriental, at the USOR Site.

1948. The waste generated by A Ly Oriental is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

1949. On certain occasions, A Ly Oriental arranged with transporter Unique Sanitation to transport A Ly Oriental’s waste streams to the USOR Site.

1950. The waste streams generated by A Ly Oriental fall within the definition of “solid waste” under the TSWDA.

1951. By letter dated August 14, 2015, the USOR Site PRP Group notified A Ly Oriental of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered A Ly Oriental the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

1952. To date, A Ly Oriental has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1953. According to USOR Site Records, from at least August 2004 to February 2009, Defendant Lion Industrial Resources, Inc. (“Lion Industrial”) accepted for transport to the USOR Site, which was selected by Lion Industrial, and/or by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment of waste owned or possessed by Lion Industrial, at least 434,144 gallons of waste containing hazardous substances at the USOR Site.

1954. The waste streams Lion Industrial generated, transported and/or arranged for disposal are described on USOR Site Records as including but not limited to “oily water,” “recyclable used oil related material,” “recyclable hydrocarbons,” “non haz process water” and contained some or all of the following hazardous substances: acetone, benzene, chromium, copper, dichlorobenzene, dichloroethylene, lead, methylene chloride, trichloroethane, trichloroethylene and/or zinc.

1955. On certain occasions, Lion Industrial transported its own waste streams to the USOR Site.

1956. On other occasions, Lion Disposal arranged for disposal at the USOR Site of waste streams generated by including but not limited to American Springwire, Explorer Pipeline, Paradigm and Teppco.

1957. The waste streams Lion Industrial generated, transported to and/or arranged for disposal at the USOR Site fall within the definition of “solid waste” under the TSWDA.

1958. By letter dated June 4, 2014, the USOR Site PRP Group notified Lion Industrial of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Lion Industrial the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

1959. To date, Lion Industrial has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1960. According to USOR Site Records, from at least January 2003 to February 2009, Defendant Liquid Environmental Solutions of Texas, LLC (“Liquid Environmental”) accepted for transport to the USOR Site, which was selected by Liquid Environmental, and/or by contract,



agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment of waste owned or possessed by Liquid Environmental, at least 10,000 gallons of waste containing hazardous substances at the USOR Site.

1961. The waste streams Liquid Environmental transported and/or arranged for disposal were RCRA hazardous waste described on USOR Site Records as “waste, toxic liquid, organic, nos (RQ, phenol, formaldehyde) 6.1, UN3287, 1).”

1962. The waste streams Liquid Environmental transported and/or arranged for disposal are also described on USOR Site Records as “other inorganic liquid (distillation water),” “aqueous waste with low other toxics (aqueous waste water),” “plant wastewater non hazardous,” “oily water” and contained some or all of the following hazardous substances: acetone, benzene, chromium, ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or zinc.

1963. The waste streams Liquid Environmental transported to and/or arranged for disposal at the USOR Site were generated by including but not limited to Allied Petrochemical, Baker Petrolite, Beauty Elite, Champion Technologies Inc., GE Betz, Hexion Specialty Chemicals, Texas Oil and Gathering, Inc.

1964. The waste streams Liquid Environmental transported to and/or arranged for disposal at the USOR Site fall within the definition of “solid waste” under the TSWDA.

1965. By letters dated February 7, 2014 and January 11, 2016, the USOR Site PRP Group notified Liquid Environmental of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site;

and offered Liquid Environmental the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

1966. To date, Liquid Environmental has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1967. According to USOR Site Records, from at least February to March 2004, Defendant Lockheed Martin Corporation ("Lockheed Martin") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 2,810 gallons of waste containing hazardous substances owned or possessed by Lockheed Martin, at the USOR Site.

1968. The waste streams generated by Lockheed Martin are described on USOR Site Records as "oily waste water (not USEPA or USDOT regulated)" and contained some or all of the following hazardous substances: acetone, benzene, chromium, ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or zinc.

1969. On certain occasions, Lockheed Martin arranged with transporters Defendant Coal City Cob Co., Inc., Safety-Kleen Systems, Inc. and Defendant Triad Transport, Inc. to transport Lockheed Martin's waste streams to the USOR Site.

1970. The waste streams generated by Lockheed Martin fall within the definition of "solid waste" under the TSWDA.

1971. Additionally, Lockheed Martin is the successor to Kelly Aviation Center LP ("Kelly Aviation").

1972. Upon information and belief, on or about April 2014, Lockheed Martin acquired Kelly Aviation as a going concern and thereafter continued the uninterrupted business activities of Kelly Aviation.

1973. According to USOR Site Records, from at least March 2004 to March 2007, Kelly Aviation by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 38,340 gallons of waste containing hazardous substances owned or possessed by Kelly Aviation, at the USOR Site.

1974. The waste streams generated by Kelly Aviation are described on USOR Site Records as “non regulated material, non hazardous liquid,” “non regulated used oil (hydraulic oil with water),” “oily waste water (not USDOT or USEPA regulated)” contained some or all of the following hazardous substances: acetone, benzene, chromium, ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or zinc.

1975. On certain occasions, Kelly Aviation arranged with transporters Defendant Coal City Cob Co., Inc., Gulf Coast Vacuum Service, Safety-Kleen Systems, Inc. and Defendant Triad Transport, Inc. to transport Kelly Aviation’s waste streams to the USOR Site.

1976. The waste streams generated by Kelly Aviation fall within the definition of “solid waste” under the TSWDA.

1977. To date, Lockheed Martin has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1978. According to USOR Site Records, in at least December 2005, Defendant Lola’s Enterprises Corp. doing business as Sage 400 Japanese Cuisine (“Sage 400”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for

transport for disposal or treatment, at least 2,500 gallons of waste containing hazardous substances owned or possessed by Sage 400, at the USOR Site.

1979. The waste generated by Sage 400 is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

1980. On certain occasions, Sage 400 arranged with transporter Defendant Consolidated Waste, LLC, doing business as Liquid Waste Solutions, to transport Sage 400’s waste streams to the USOR Site.

1981. The waste streams generated by Sage 400 fall within the definition of “solid waste” under the TSWDA.

1982. By letter dated September 18, 2015, the USOR Site PRP Group notified Sage 400 of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Sage 400 the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

1983. To date, Sage 400 has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1984. According to USOR Site Records, from at least February 2006 to March 2006, Defendant Los Cucos Mexican Café, Inc. (“Los Cucos Café”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 9,100 gallons of waste containing hazardous substances owned or possessed by Los Cucos Café, at the USOR Site.

1985. The waste generated by Los Cucos Café is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

1986. On certain occasions, Los Cucos Café arranged with transporter Defendant Public Sanitary Works, Inc. to transport Los Cucos Café’s waste streams to the USOR Site.

1987. The waste streams generated by Los Cucos Café fall within the definition of “solid waste” under the TSWDA.

1988. By letter dated September 25, 2015, the USOR Site PRP Group notified Los Cucos Café of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Los Cucos Café the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

1989. To date, Los Cucos Café has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1990. According to USOR Site Records, in at least March 2006, Defendant Los Gallitos Mexican Café II, Inc. (“Los Gallitos”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 700 gallons of waste containing hazardous substances owned or possessed by Los Gallitos, at the USOR Site.

1991. The waste generated by Los Gallitos is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

1992. On certain occasions, Los Gallitos arranged with transporter Defendant Public Sanitary Works, Inc. to transport Los Gallitos' waste streams to the USOR Site.

1993. The waste streams generated by Los Gallitos fall within the definition of "solid waste" under the TSWDA.

1994. By letter dated September 25, 2015, the USOR Site PRP Group notified Los Gallitos of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Los Gallitos the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

1995. To date, Los Gallitos has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

1996. According to USOR Site Records, in at least June 2008, Defendant M&M Protection, LLC ("M&M Protection") accepted for transport to the USOR Site, which was selected by M&M Protection, and/or by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment of waste owned or possessed by M&M Protection, at least 650 gallons of waste containing hazardous substances owned at the USOR Site.

1997. The waste streams M&M Protection transported and/or arranged for disposal are described on USOR Site Records as "new brake fluid and water" and contained some or all of the following hazardous substances: acetone, benzene, chromium, ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or zinc.

1998. The waste streams M&M Protection transported to and/or arranged for disposal at the USOR Site were generated by CMA/GMC America Lines.

1999. The waste streams M&M Protection transported to or arranged for disposal at the USOR Site fall within the definition of “solid waste” under the TSWDA.

2000. By letters dated December 5, 2013 and November 21, 2014, the USOR Site PRP Group notified M&M Protection of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered M&M Protection the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

2001. To date, M&M Protection has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2002. According to USOR Site Records, in at least March 2004, Defendant MECX, LP (“MECX”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 15,060 gallons of waste containing hazardous substances owned or possessed by MECX, at the USOR Site.

2003. The waste streams generated by MECX are described on USOR Site Records as “oily water” and contained some or all of the following hazardous substances: acetone, benzene, chromium, ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or zinc.

2004. MECX arranged with transporters ProWaste, Inc. or U.S. Oil Recovery to transport MECX’s waste streams to the USOR Site.

2005. The waste streams generated by MECX fall within the definition of “solid waste” under the TSWDA.

2006. By letters dated December 5, 2013 and December 19, 2014, the USOR Site PRP Group notified MECX of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered MECX the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

2007. To date, MECX has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2008. Defendant MMJ Industries, Inc. ("MMJ Industries") is formerly known as Custom Ecology, Inc. ("Custom Ecology").

2009. According to USOR Site Records, from at least May 2006 to July 2007, Custom Ecology accepted for transport to the USOR Site, which was selected by Custom Ecology, and/or by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment of waste owned or possessed by Custom Ecology, at least 63,831 gallons of waste containing hazardous substances at the USOR Site.

2010. The waste streams transported by Custom Ecology were RCRA hazardous waste described on USOR Site Records as "hazardous waste liquid, N.O.S., (benzene), 9, NA3082, PG III" and "corrosive liquid, basic, organic, nos 8 UN3267, PG III."

2011. The waste streams transported by Custom Ecology are also described on USOR Site Records as "non DOT regulated material (non hazardous water waste stream1)," "barge cleaning contact water," "non DOT regulated material (nitric acid water)," "non DOT regulated material (wastewater) wastewater w/coupler" and "non DOT regulated material, 78-36393 non haz waste water, 0609-1821" and contained some or all of the following hazardous substances:



acetone, benzene, cadmium, chromium, copper, dichloroethylene, ethyl benzene, lead, manganese, methyl ethyl ketone, methylene chloride, nickel, toluene, trichloroethane, trichloroethylene and/or zinc.

2012. The waste streams Custom Ecology transported to the USOR Site were generated by BASF, CESCO Chemicals, Nalco and TT Barge Services.

2013. The waste streams transported to the USOR Site by Custom Ecology fall within the definition of “solid waste” under the TSWDA.

2014. By letter dated October 30, 2015, the USOR Site PRP Group notified MMJ Industries of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered MMJ Industries the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

2015. To date, MMJ Industries has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2016. According to USOR Site Records, from at least June 2007 to June 2008, Defendant MTI Environmental LLC (“MTI Environmental”) accepted for transport to the USOR Site, which was selected by MTI Environmental, and/or by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment of waste owned or possessed by MTI Environmental, at least 38,640 gallons of waste containing hazardous substances at the USOR Site.

2017. The waste streams generated by and/or transported by MTI Environmental were RCRA hazardous waste described on USOR Site Records as “RQ waste corrosive liquid, acidic, inorganic, n.o.s. 8, UN3264, PG III (sulfuric acid & water),” UN-3262 pg3 ‘sodium hydroxide’,”

“RQ waste flammable liquids, corrosive n.o.s. 8, UN2924 PG III,” “paint related material including paint thinning, 3, UN1263, PG III (universal),” “paint related material including paint thinning, 3, UN[], PG III, 1210 (universal),” waste corrosive liquids, n.o.s. (contains sulfuric acid) 8, UN1760, PG II,” and “waste flammable liquid, n.o.s., 3, UN1993, PG II (isopropanol, aromatic naphtha).”

2018. The waste streams generated by and/or transported by MTI Environmental are also described on USOR Site Records as “non-RCRA non-hazardous (petroleum solids),” “non-RCRA, non-hazardous (oily water),” “non-RCRA, non-hazardous chrome rinsewater,” “chrome rinsewater,” “sulfuric acid & water,” and contained some or all of the following hazardous substances: acetone, barium, benzene, chromium, copper, ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, trichloroethylene, xylenes and/or zinc.

2019. On certain occasions, MTI Environmental transported its own waste streams to the USOR Site.

2020. On other occasions, MTI Environmental arranged with transporters Defendant Legacee International Environmental Services, Inc. doing business as Texas Waste Carriers and Defendant Top Notch Transportation, Inc. to transport MTI Environmental’s waste streams to the USOR Site.

2021. On other occasions, MTI Environmental also accepted for transport to the USOR Site waste streams generated by Champion Technologies, Defendant Delta Specialty Coatings LLC, Green Hunter Biofuels, InkJet Inc., Intra-Service Co. and Tasker Products Corp.

2022. The waste streams generated by MTI Environmental fall within the definition of “solid waste” under the TSWDA.

2023. By letters dated December 5, 2013 and March 10, 2015, the USOR Site PRP Group notified MTI Environmental of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered MTI Environmental the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

2024. To date, MTI Environmental has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2025. Alternatively, Defendant MTI Services, LLC ("MTI Services") is the successor to MTI Environmental and is responsible for the waste streams attributable to MTI Environmental, as alleged in paragraph nos. 2016-2018 above.

2026. MTI Services has continued the uninterrupted business activities of MTI Environmental in the same location and retained certain employees and corporate personnel of MTI Environmental.

2027. By letter dated September 18, 2015, the USOR Site PRP Group notified MTI Services of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered MTI Services the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

2028. To date, MTI Services has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2029. According to USOR Site Records, from at least October 2004 to January 2006, Defendant Mack's Standard Transmission, Inc. ("Mack's Transmission") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 1,600 gallons of waste containing hazardous substances owned or possessed by Mack's Transmission, at the USOR Site.

2030. The waste generated by Mack's Transmission is described on USOR Site Records as "oily water" and contained some or all of the following hazardous substances: acetone, chromium, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or zinc.

2031. On certain occasions, Mack's Transmission arranged with transporter CES Environmental to transport Mack's Transmission's waste streams to the USOR Site.

2032. The waste streams generated by Mack's Transmission fall within the definition of "solid waste" under the TSWDA.

2033. By letter dated September 4, 2015, the USOR Site PRP Group notified Mack's Transmission of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Mack's Transmission the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

2034. To date, Mack's Transmission has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2035. According to USOR Site Records, in at least February 2006, Defendant Mai Tran, Inc. doing business as Danny's Café & Grill ("Danny's Café") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for

disposal or treatment, at least 40 gallons of waste containing hazardous substances owned or possessed by Danny's Café, at the USOR Site.

2036. The waste generated by Danny's Café is described on USOR Site Records as "grease" and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

2037. On certain occasions, Danny's Café arranged with transporter Defendant Public Sanitary Works, Inc. to transport Danny's Café's waste streams to the USOR Site.

2038. The waste streams generated by Danny's Café fall within the definition of "solid waste" under the TSWDA.

2039. By letter dated August 14, 2015, the USOR Site PRP Group notified Danny's Café of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Danny's Café the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

2040. To date, Danny's Café has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2041. According to USOR Site Records, in at least February 2006, Defendant Mama's Oven ("Mama's Oven") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 1,000 gallons of waste containing hazardous substances owned or possessed by Mama's Oven, at the USOR Site.

2042. The waste generated by Mama's Oven is described on USOR Site Records as "grease" and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

2043. On certain occasions, Mama's Oven arranged with transporter A-Affordable to transport Mama's Oven's waste streams to the USOR Site.

2044. The waste streams generated by Mama's Oven fall within the definition of "solid waste" under the TSWDA.

2045. By letter dated September 4, 2015, the USOR Site PRP Group notified Mama's Oven of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Mama's Oven the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

2046. To date, Mama's Oven has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2047. According to USOR Site Records, from at least January 2006 to March 2006, Defendant Maria Selma Restaurant, LLC ("Maria Selma") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 100 gallons of waste containing hazardous substances owned or possessed by Maria Selma, at the USOR Site.

2048. The waste generated by Maria Selma is described on USOR Site Records as "grease" and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

2049. On certain occasions, Maria Selma arranged with transporter A-Affordable to transport Maria Selma waste streams to the USOR Site.

2050. The waste streams generated by Maria Selma fall within the definition of "solid waste" under the TSWDA.

2051. By letter dated September 4, 2015, the USOR Site PRP Group notified Maria Selma of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Maria Selma the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

2052. To date, Maria Selma has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2053. According to USOR Site Records, from at least November 2005 to March 2006, Defendant Mark Dennard Enterprises, Inc. doing business as Wings 'N More ("Dennard Enterprises") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 19,600 gallons of waste containing hazardous substances owned or possessed by Dennard Enterprises, at the USOR Site.

2054. The waste generated by Dennard Enterprises is described on USOR Site Records as "grease" and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

2055. On certain occasions, Dennard Enterprises arranged with transporter Defendant Public Sanitary Works, Inc. to transport Dennard Enterprises' waste streams to the USOR Site.

2056. The waste streams generated by Dennard Enterprises fall within the definition of "solid waste" under the TSWDA.

2057. By letter dated October 2, 2015, the USOR Site PRP Group notified Dennard Enterprises of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or

threatened release of hazardous substances at the USOR Site; and offered Dennard Enterprises the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

2058. To date, Dennard Enterprises has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2059. According to USOR Site Records, in at least May, 2004, Defendant Market Truck Stop, Inc. doing business as Texas Truck Stop ("Texas Truck Stop") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 3,000 gallons of waste containing hazardous substances owned or possessed by Texas Truck Stop, at the USOR Site.

2060. The waste streams generated by Texas Truck Stop are described on USOR Site Records as "oily water" and contained some or all of the following hazardous substances: acetone, benzene, chromium, ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or zinc.

2061. On certain occasions, Texas Truck Stop arranged with transporter Garner Environmental to transport Texas Truck Stop's waste streams to the USOR Site.

2062. The waste streams generated by Texas Truck Stop fall within the definition of "solid waste" under the TSWDA.

2063. By letter dated December 12, 2014, the USOR Site PRP Group notified Texas Truck Stop of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Texas Truck Stop the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.



2064. To date, Texas Truck Stop has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2065. Defendant Martin Midstream Partners L.P. (“Martin Midstream”) is the successor to Tesoro Marine Services, LLC (“Tesoro Marine”).

2066. Martin Midstream acquired Tesoro Marine on October 28, 2003.

2067. According to USOR Site Records, from at least January to June 2004, Tesoro Marine by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 40,150 gallons of waste containing hazardous substances owned or possessed by Tesoro Marine, at the USOR Site.

2068. The waste streams generated by Tesoro Marine were RCRA hazardous waste described on USOR Site Records as “waste flammable liquids, n.o.s. (chromium, 3, UN1993, PGIII.”

2069. The waste streams generated by Tesoro Marine are also described on USOR Site Records as “wastewater,” “organic,” “oil,” and “oily water” and contained some or all of the following hazardous substances: acetone, benzene, chromium, ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or zinc.

2070. On certain occasions, Tesoro Marine arranged with transporters Envirogistics and CES Environmental Services, Inc. to transport Tesoro Marine’s waste streams to the USOR Site.

2071. The waste streams generated by Tesoro Marine fall within the definition of “solid waste” under the TSWDA.

2072. By letter dated December 5, 2013, the USOR Site PRP Group notified Tesoro Marine of the existence of the release or threatened release of hazardous substances at the USOR

Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Tesoro Marine the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

2073. To date, Martin Midstream has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2074. Alternatively, Defendant Martin Resource Management Corp. ("Martin Resource") is the successor to Tesoro Marine and is responsible for the waste streams attributable to Tesoro Marine as alleged in paragraph nos. 2067-2069 above.

2075. Martin Resource is the general partner of Midstream Fuel Services LLC ("Midstream Fuel"), which is managed by its executive officers and which acquired Tesoro's fuel oil distribution business in or about October 2003.

2076. To date, Martin Resource has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2077. According to USOR Site Records, from at least April to May 2005, Defendant Martin Operating Partnership L.P. ("Martin Operating") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 3,400 gallons of waste containing hazardous substances owned or possessed by Martin Operating, at the USOR Site.

2078. The waste streams generated by Martin Operating are described on USOR Site Records as "organic" and contained some or all of the following hazardous substances: acetone, benzene, chromium, ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or zinc.

2079. On certain occasions, Martin Operating arranged with transporter Oil Mop LLC to transport Martin Operating's waste streams to the USOR Site.

2080. The waste streams generated by Martin fall within the definition of "solid waste" under the TSWDA.

2081. By letter dated December 12, 2014, the USOR Site PRP Group notified Martin Operating of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Martin Operating the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

2082. To date, Martin Operating has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2083. According to USOR Site Records, from at least February 2006 to March 2006, Defendant Martin Preferred Foods, LP doing business as Martin Food Service Co. ("Martin Food") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 2,030 gallons of waste containing hazardous substances owned or possessed by Martin Food, at the USOR Site.

2084. The waste generated by Martin Food is described on USOR Site Records as "grease" and contained some or all of the following hazardous substances: acetone, arsenic, benzene, cadmium, chromium, dichloroethylene, lead, methyl ethyl ketone, methylene chloride, perchloroethylene, toluene, trichloroethane, trichloroethylene, vinyl chloride, xylenes and/or zinc.

2085. On certain occasions, Martin Food arranged with transporter Defendant Public Sanitary Works, Inc. to transport Martin Food's waste streams to the USOR Site.

2086. The waste streams generated by Martin Food fall within the definition of "solid waste" under the TSWDA.

2087. By letter dated September 4, 2015, the USOR Site PRP Group notified Martin Food of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Martin Food the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

2088. To date, Martin Food has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2089. According to USOR Site Records, from at least January 2006 to April 2007, Defendant Martin Transport, Inc. ("Martin Transport") accepted at least 33,146 gallons of waste containing hazardous substances for transport to the USOR Site, which was selected by Martin Transport.

2090. The waste streams transported by Martin Transport are described on USOR Site Records as "pond water" or "wash water" and contained some or all of the following hazardous substances: acetone, copper, dichloroethylene, lead, methyl ethyl ketone, toluene and/or xylenes.

2091. The waste streams Martin Transport transported to the USOR Site were generated by Hexion Specialty Chemicals.

2092. The waste streams transported to the USOR Site by Martin Transport fall within the definition of "solid waste" under the TSWDA.

2093. To date, Martin Transport has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2094. According to USOR Site Records, from at least January 2004 to March 2006, Defendant Massey Industries Inc. (“Massey Industries”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 2,950 gallons of waste containing hazardous substances owned or possessed by Massey Industries, at the USOR Site.

2095. The waste streams generated by Massey Industries are described on USOR Site Records as “oily” or “oily water” and contained some or all of the following hazardous substances: chromium, copper, lead, manganese, methyl ethyl ketone, nickel, perchloroethylene, toluene, trichloroethane, trichloroethylene and/or xylenes.

2096. On certain occasions, Massey Industries arranged with transporters Axys Industrial Solutions LLC and US Oil Recovery to transport Massey Industries’ waste streams to the USOR Site.

2097. The waste streams Massey Industries fall within the definition of “solid waste” under the TSWDA.

2098. By letters dated December 5, 2013 and December 12, 2014, the USOR Site PRP Group notified Massey Industries of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Massey Industries the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

2099. To date, Massey Industries has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2100. According to USOR Site Records, from at least November 2003 to August 2006, Defendant Master-Halco, Inc. (“Master-Halco”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 43,400 gallons of waste containing hazardous substances owned or possessed by Master-Halco, at the USOR Site.

2101. The waste streams generated by Master-Halco are described on USOR Site Records as “wastewater” or “zinc wastewater” and contained some or all of the following hazardous substances: acetone, chromium, copper, dichloroethylene, lead, manganese, methyl ethyl ketone, nickel, perchloroethylene, toluene, trichloroethane, trichloroethylene, xylenes and/or zinc.

2102. On certain occasions, Master-Halco arranged with transporter Coal City Cob Co., Inc. to transport Master-Halco’s waste streams to the USOR site.

2103. The waste streams generated by Master-Halco fall within the definition of “solid waste” under the TSWDA.

2104. By letters dated December 5, 2013 and February 27, 2015, the USOR Site PRP Group notified Master-Halco of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Master-Halco the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

2105. To date, Master-Halco has refused to cooperate with the USOR Site PRP group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2106. According to USOR Site Records, in at least September 2005, Defendant Matagorda County Navigation District No. 1 (“Matagorda County Navigation District No. 1”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 8,000 gallons of waste containing hazardous substances owned or possessed by Matagorda County Navigation District No. 1, at the USOR Site.

2107. The waste streams generated by Matagorda County Navigation District No. 1 are described on USOR Site Records as “non-hazardous non-RCRA (waste water)” and contained some or all of the following hazardous substances: acetone, benzene, chromium, ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or zinc.

2108. On certain occasions, Matagorda County Navigation District No. 1 arranged with transporter Envirovac to transport Matagorda County Navigation District No. 1’s waste streams to the USOR site.

2109. The waste streams generated by Matagorda County Navigation District No. 1 fall within the definition of “solid waste” under the TSWDA.

2110. Additionally, Matagorda County Navigation District No. 1 owns and operates the Port of Palacios (“Port of Palacios”).

2111. According to USOR Site Records, in at least February 2008, Port of Palacios by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 5,000 gallons of waste containing hazardous substances owned or possessed by Port of Palacios, at the USOR Site.

2112. The waste streams generated by Port of Palacios is described on USOR Site Records as “bilge water non haz” and contained some or all of the following hazardous substances: acetone, benzene, chromium, ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or zinc.

2113. On certain occasions, Port of Palacios arranged with transporter US Oil Recovery to transport Port of Palacios’ waste streams to the USOR Site.

2114. The waste streams generated by Port of Palacios fall within the definition of “solid waste” under the TSWDA.

2115. By letters dated December 5, 2013 and December 19, 2014, the USOR Site PRP Group notified Port of Palacios of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Port of Palacios the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

2116. To date, Matagorda County Navigation District No. 1 has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2117. Defendant Matte Industrial Services, LLC (“Matte Industrial”) is the successor to and/or is formerly known as HazWaste Environmental, LLC (“HazWaste”). Hazwaste Environmental, LLC changed its name to Matte Industrial Services, LLC by statutory conversion, as evidenced by Certificate of Amendment filed with the State of Texas on June 27, 2013.



2118. According to USOR Site Records, from at least February 2005 to May 2006, HazWaste accepted at least 770 gallons of waste containing hazardous substances for transport to the USOR Site, which was selected by HazWaste.

2119. The waste streams transported by HazWaste are described on USOR Site Records as “grease” or “oil” and contained some or all of the following hazardous substances: acetone, benzene, chromium, copper, ethyl benzene, lead, manganese, methyl ethyl ketone, nickel, perchloroethylene, toluene, trichloroethane, xylenes and/or zinc.

2120. The waste streams HazWaste transported to the USOR Site were generated by CTI Trucking and American Well Control.

2121. The waste streams transported to the USOR Site by HazWaste fall within the definition of “solid waste” under the TSWDA.

2122. By letter dated November 21, 2014, the USOR Site PRP Group notified Matte Industrial of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Matte Industrial the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

2123. To date, Matte Industrial has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2124. According to USOR Site Records, in at least December 2003, Defendant Maverick Tube Corp (“Maverick Tube”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 11,500 gallons of waste containing hazardous substances owned or possessed by Maverick Tube, at the USOR Site.

2125. The waste streams generated by Maverick Tube are described on USOR Site Records as “oil” and contained some or all of the following hazardous substances: chromium, copper, lead, manganese, methyl ethyl ketone, nickel, perchloroethylene, toluene, trichloroethane, trichloroethylene and/or xylenes.

2126. On certain occasions, Maverick Tube arranged with transporter Defendant Drane Ranger Vacuum Service to transport Maverick Tube’s waste streams to the USOR Site.

2127. The waste streams generated by Maverick Tube fall within the definition of “solid waste” under the TSWDA.

2128. Additionally, Maverick Tube is the successor to Texas Arai Inc. (“Texas Arai”).

2129. Maverick Tube acquired the business and assets of Texas Arai in or about 2004. After 2004, Maverick Tube used Texas Arai as an assumed name.

2130. According to USOR Site Records, from at least March 2005 to September 2007, Texas Arai by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 17,500 gallons of waste containing hazardous substances owned or possessed by Texas Arai, at the USOR Site.

2131. The waste streams generated by Texas Arai are described on USOR Site Records as “oily water,” “non-hazardous, not DOT regulated (class I, wastewater),” and “non-hazardous, not DOT regulated (spent triethylene glycol and water)” and contained some or all of the following hazardous substances: chromium, copper, lead, manganese, methyl ethyl ketone, nickel, perchloroethylene, toluene, trichloroethane, trichloroethylene and/or xylenes.

2132. On certain occasions, Texas Arai arranged with transporters Defendant Bealine Service Company, Inc., CES Environmental, Rogue Waste Recovery & Environmental and

Defendant Specialized Waste Systems, Inc. to transport Texas Arai's waste streams to the USOR Site.

2133. The waste streams generated by Texas Arai fall within the definition of "solid waste" under the TSWDA.

2134. By letters dated December 5, 2013 and February 27, 2015, the USOR Site PRP Group notified Texas Arai and Maverick Tube, respectively, of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Texas Arai and Maverick Tube the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

2135. To date, Maverick Tube has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2136. According to USOR Site Records, from at least December 2005 to March 2006, Defendant Mayuri India Cuisine, Inc. doing business as Mayuri Indian Restaurant ("Mayuri") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 10,000 gallons of waste containing hazardous substances owned or possessed by Mayuri, at the USOR Site.

2137. The waste generated by Mayuri is described on USOR Site Records as "grease" and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

2138. On certain occasions, Mayuri arranged with transporter Defendant Consolidated Waste, LLC, doing business as Liquid Waste Solutions, to transport Mayuri's waste streams to the USOR Site.

2139. The waste streams generated by Mayuri fall within the definition of “solid waste” under the TSWDA.

2140. By letter dated September 18, 2015, the USOR Site PRP Group notified Mayuri of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Mayuri the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

2141. To date, Mayuri has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2142. According to USOR Site Records, from at least July to November 2008, Defendant McClintock Corp. (“McClintock”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 220 gallons of waste containing hazardous substances owned or possessed by McClintock, at the USOR Site.

2143. The waste streams generated by McClintock were RCRA hazardous waste described on USOR Site Records as “waste paint related material 3, UN1263, PG III.”

2144. The waste streams generated by McClintock are also described on USOR Site Records as “latex paint,” “waste oil” and “paint related material” and contained some or all of the following hazardous substances: acetone, cadmium, chromium, copper, lead, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or zinc.

2145. On certain occasions, McClintock arranged with transporter Texas Waste Carriers to transport McClintock’s waste streams to the USOR Site.

2146. The waste streams generated by McClintock fall within the definition of “solid waste” under the TSWDA.

2147. By letters dated December 5, 2013 and November 21, 2014, the USOR Site PRP Group notified McClintock of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered McClintock the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

2148. To date, McClintock has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2149. According to USOR Site Records, from at least January to April 2004, Defendant Metro Grease Service LLC (“Metro Grease”) accepted at least 26,500 gallons of waste containing hazardous substances for transport to the USOR Site, which was selected by Metro Grease.

2150. The waste streams transported by Metro Grease are described on USOR Site Records as “organic” or “org” and contained some or all of the following substances: acetone, benzene, chromium, copper, dichlorobenzene, dichloroethylene, lead, methylene chloride, trichloroethane, trichloroethylene and/or zinc

2151. The waste streams Metro Grease transported to the USOR Site were generated by Allison Enterprises and Grease Recyclers Co-op.

2152. The waste streams transported to the USOR Site by Metro Grease fall within the definition of “solid waste” under the TSWDA.

2153. By letter dated February 27, 2015, the USOR Site PRP Group notified Metro Grease of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Metro Grease the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

2154. To date, Metro Grease has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2155. According to USOR Site Records, in at least October 2007, Defendant Mexico Lindo Market ("Mexico Lindo") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 2,500 gallons of waste containing hazardous substances owned or possessed by Mexico Lindo, at the USOR Site.

2156. The waste generated by Mexico Lindo is described on USOR Site Records as "grease" and contained some or all of the following hazardous substances: acetone, arsenic, benzene, cadmium, chromium, dichloroethylene, lead, methyl ethyl ketone, methylene chloride, perchloroethylene, toluene, trichloroethane, trichloroethylene, vinyl chloride, xylenes and/or zinc.

2157. On certain occasions, Mexico Lindo arranged with transporter Earth America to transport Mexico Lindo's waste streams to the USOR Site.

2158. The waste streams generated by Mexico Lindo fall within the definition of "solid waste" under the TSWDA.

2159. By letter dated October 30, 2015, the USOR Site PRP Group notified Mexico Lindo of the existence of the release or threatened release of hazardous substances at the USOR

Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Mexico Lindo the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

2160. To date, Mexico Lindo has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2161. According to USOR Site Records, from at least June 2004 to January 2010, Defendant Midstate Environmental Services, LP ("Midstate Environmental") accepted for transport to the USOR Site, which was selected by Midstate Environmental, and/or by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment of waste owned or possessed by Midstate Environmental, at least 1,936,742 gallons of waste containing hazardous substances at the USOR Site.

2162. The waste streams Midstate Environmental generated, transported and/or arranged for disposal were RCRA hazardous waste described on USOR Site Records as "RQ hazardous waste liquid, NOS (chromium), 9, NA3082, III."

2163. The waste streams Midstate Environmental generated, transported and/or arranged for disposal are also described on USOR Site Records as "oily water," "oily," "oil," "organic," "wet tank bottoms," "used oil fuel," "non-regulated oily waste water," and contained some or all of the following substances: acetone, benzene, chromium, ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or zinc.

2164. On certain occasions, Midstate Environmental transported its own waste streams to the USOR Site.

2165. On other occasions, Midstate Environmental transported and/or arranged for disposal of waste streams generated by generators including but not limited to Midstate Environmental and Defendant Resolve Marine Group, Inc.

2166. The waste streams Midstate Environmental generated, transported to and/or arranged for disposal at the USOR Site fall within the definition of “solid waste” under the TSWDA.

2167. By letters dated February 7, 2014 and April 24, 2015, the USOR Site PRP Group notified Midstate Environmental of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Midstate Environmental the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

2168. To date, Midstate Environmental has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2169. Defendant Mike’s Soft Touch Inc. is also known as Soft Touch Car Wash (“Soft Touch Car Wash”).

2170. According to USOR Site Records, in at least February 2004, Soft Touch Car Wash by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 8,288 gallons of waste containing hazardous substances owned or possessed by Soft Touch Car Wash, at the USOR Site.



2171. On certain occasions, Soft Touch Car Wash arranged with transporter ProWaste, Inc. (“ProWaste”) to transport Soft Touch Car Wash’s waste streams to the USOR Site.

2172. The waste streams generated by Soft Touch Car Wash fall within the definition of “solid waste” under the TSWDA.

2173. By letters dated December 5, 2013 and December 12, 2014, the USOR Site PRP Group notified Soft Touch Car Wash of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Soft Touch Car Wash the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

2174. To date, Soft Touch Car Wash has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2175. According to USOR Site Records, in at least November 2005, Defendant Milena Inc. doing business as Da Marco (“Milena”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 1,000 gallons of waste containing hazardous substances owned or possessed by Milena, at the USOR Site.

2176. The waste generated by Milena is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

2177. On certain occasions, Milena arranged with transporter Defendant Consolidated Waste, LLC, doing business as Liquid Waste Solutions, to transport Milena's waste streams to the USOR Site.

2178. The waste streams generated by Milena fall within the definition of "solid waste" under the TSWDA.

2179. By letter dated August 25, 2015, the USOR Site PRP Group notified Milena of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Milena the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

2180. To date, Milena has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2181. According to USOR Site Records, from at least December 2005 to March 2006, Defendant Miller's Café ("Miller's Café") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 2,240 gallons of waste containing hazardous substances owned or possessed by Miller's Café, at the USOR Site.

2182. The waste generated by Miller's Café is described on USOR Site Records as "grease" and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

2183. On certain occasions, Miller's Café arranged with transporter Defendant Consolidated Waste, LLC, doing business as Liquid Waste Solutions, to transport Miller's Café's waste streams to the USOR Site.

2184. The waste streams generated by Miller's Café fall within the definition of "solid waste" under the TSWDA.

2185. By letter dated September 4, 2015, the USOR Site PRP Group notified Miller's Café of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Miller's Café the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

2186. To date, Miller's Café has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2187. According to USOR Site Records, in at least January 2006, Defendant MillerCoors LLC ("MillerCoors") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 1,000 gallons of waste containing hazardous substances owned or possessed by MillerCoors, at the USOR Site.

2188. The waste generated by MillerCoors is described on USOR Site Records as "grit" and contained some or all of the following hazardous substances: acetone, arsenic, benzene, cadmium, chromium, dichloroethylene, lead, methyl ethyl ketone, methylene chloride, perchloroethylene, toluene, trichloroethane, trichloroethylene, vinyl chloride, xylenes and/or zinc.

2189. On certain occasions, MillerCoors arranged with transporter A-Affordable Vacuum to transport MillerCoors' waste streams to the USOR Site.

2190. The waste streams generated by MillerCoors fall within the definition of "solid waste" under the TSWDA.

2191. By letter dated August 14, 2015, the USOR Site PRP Group notified MillerCoors of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered MillerCoors the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

2192. To date, MillerCoors has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2193. Defendant Milstead Management, LLC ("Milstead Management") is the successor to Milstead Environmental, LLC ("Milstead Environmental").

2194. Upon information and belief, Milstead Management has continued the uninterrupted business activities of Milstead Environmental in the same location and retained certain employees and corporate personnel of Milstead Environmental.

2195. According to USOR Site Records, from at least March 2005 to March 2006, Milstead Environmental accepted for transport to the USOR Site, which was selected by Milstead Environmental, and/or by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment of waste owned or possessed by Milstead Environmental, at least 130,579 gallons of waste containing hazardous substances at the USOR Site.

2196. The waste streams generated by and/or transported by Milstead Environmental are described on USOR Site Records as "oily drums," "oily yards," "oily dirt," "oily water," "oily soil," "oil," "waste diesel" and "waste diesel mix w/ sorbant[sic]" and contained some or all of the following hazardous substances: acetone, benzene, chromium, ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or zinc.

2197. On certain occasions, Milstead Environmental transported its own waste streams to the USOR Site.

2198. On other occasions, Milstead Environmental arranged with transporters Aaron Enterprises, K-3BMI and US Oil Recovery to transport Milstead Environmental's waste streams to the USOR Site.

2199. On other occasions, Milstead Environmental also accepted for transport to the USOR Site waste streams generated by Defendant AAA Cooper Transportation, Inc., Defendant BSMP, Inc., Campbell, Defendant Carillo Brothers Auto Sales, Clark Freight Lines, Inc., Donald Keener, Donnie Gilder, Defendant Dual Trucking Inc., Herman Trucking, Defendant Ho Ho Ho Express Inc., Houston Best Redi Mix, Johnny's Transport, Kullman Express, Meyer Trucking, Navarette Trucking, S&MJ Trucking, Steve South, Superior, Swift Transportation, Truck Environmental, USA Truck, Wal-Mart and Williams Brothers.

2200. The waste streams generated by Milstead Environmental and/or transported to the USOR Site by Milstead Environmental fall within the definition of "solid waste" under the TSWDA.

2201. By letters dated December 5, 2013 and August 20, 2015, the USOR Site PRP Group notified Milstead Environmental of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Milstead Environmental the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

2202. To date, Milstead Management has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2203. Alternatively, Defendant Milstead Automotive, Ltd. (“Milstead Automotive”) is the successor to Milstead Environmental and is responsible for the waste streams attributable to Milstead Environmental, as alleged in paragraph nos. 2195-2196 above.

2204. Milstead Automotive holds itself out as the continuation of and the same company as Milstead Environmental.

2205. To date, Milstead Automotive has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2206. According to USOR Site Records, in at least February 2006, Defendant Mistral Inc. doing business as Café Rabelais (“Café Rabelais”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 30 gallons of waste containing hazardous substances owned or possessed by Café Rabelais, at the USOR Site.

2207. The waste generated by Café Rabelais is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

2208. On certain occasions, Café Rabelais arranged with transporter Defendant Public Sanitary Works, Inc. to transport Café Rabelais’ waste streams to the USOR Site.

2209. The waste streams generated by Café Rabelais fall within the definition of “solid waste” under the TSWDA.

2210. By letter dated August 14, 2015, the USOR Site PRP Group notified Café Rabelais of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Café Rabelais the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

2211. To date, Café Rabelais has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2212. According to USOR Site Records, in at least May 2004, Defendant Mitsui & Co. (U.S.A.), Inc. ("Mitsui") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 4,000 gallons of waste containing hazardous substances owned or possessed by Mitsui, at the USOR Site.

2213. The waste streams generated by Mitsui are described on USOR Site Records as "non-RCRA / non DOT regulated rinsewater" and "organic" and contained some or all of the following hazardous substances: acetone, cadmium, chromium, copper, dichloroethylene, lead, methylene chloride, methyl ethyl ketone, nickel, toluene, trichloroethane, trichloroethylene and/or zinc.

2214. On certain occasions, Mitsui arranged with transporter CES Environmental Services, Inc. to transport Mitsui's waste streams to the USOR Site.

2215. The waste streams generated by Mitsui fall within the definition of "solid waste" under the TSWDA.

2216. Additionally, Mitsui is the successor to Global Octanes Texas LP ("Global Octanes").

2217. Mitsui held an equity interest in Global Octanes until Global Octanes' dissolution in 2003.

2218. According to USOR Site Records, from at least December 2003 to April 2004, Global Octanes by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 368,177 gallons of waste containing hazardous substances owned or possessed by Global Octanes, at the USOR Site.

2219. The waste streams generated by Global Octanes are described on USOR Site Records as "non hazardous non regulated waste water," "organic," "used oil," "oily water," "catofin sump sludge" and "oil" and contained some or all of the following hazardous substances: acetone, benzene, cadmium, chromium, copper, dichloroethylene, ethyl benzene, lead, manganese, methyl ethyl ketone, methylene chloride, nickel, toluene, trichloroethane, trichloroethylene, xylenes and/or zinc.

2220. On certain occasions, Global Octanes arranged with transporters Defendant Bealine Service Co., Inc. and Envirogistics to transport Global Octanes' waste streams to the USOR Site.

2221. The waste streams generated by Global Octanes fall within the definition of "solid waste" under the TSWDA.

2222. By letter dated December 5, 2013 and April 24, 2015, the USOR Site PRP Group notified Global Octanes and Mitsui, respectively, of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR



Site; and offered Global Octanes and Mitsui the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

2223. To date, Mitsui has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2224. According to USOR Site Records, in at least February 2006, Defendant Mo Better Meat Company Inc. ("Mo Better") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 450 gallons of waste containing hazardous substances owned or possessed by Mo Better, at the USOR Site.

2225. The waste generated by Mo Better is described on USOR Site Records as "grease" and contained some or all of the following hazardous substances: acetone, arsenic, benzene, cadmium, chromium, dichloroethylene, lead, methyl ethyl ketone, methylene chloride, perchloroethylene, toluene, trichloroethane, trichloroethylene, vinyl chloride, xylenes and/or zinc.

2226. On certain occasions, Mo Better arranged with transporter Defendant Public Sanitary Works, Inc. to transport Mo Better's waste streams to the USOR Site.

2227. The waste streams generated by Mo Better fall within the definition of "solid waste" under the TSWDA.

2228. By letter dated September 18, 2015, the USOR Site PRP Group notified Mo Better of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Mo Better the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

2229. To date, Mo Better has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2230. According to USOR Site Records, from at least February 2006 to March 2006, Defendant Moeller's Bakery, Inc. ("Moeller's Bakery") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 80 gallons of waste containing hazardous substances owned or possessed by Moeller's Bakery, at the USOR Site.

2231. The waste generated by Moeller's Bakery is described on USOR Site Records as "grease" and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

2232. On certain occasions, Moeller's Bakery arranged with transporter Defendant Public Sanitary Works, Inc. to transport Moeller's Bakery's waste streams to the USOR Site.

2233. The waste streams generated by Moeller's Bakery fall within the definition of "solid waste" under the TSWDA.

2234. By letter dated September 4, 2015, the USOR Site PRP Group notified Moeller's Bakery of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Moeller's Bakery the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

2235. To date, Moeller's Bakery has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2236. According to USOR Site Records, in at least January 2006, Defendant Montgomery County, Texas (“Montgomery County”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 50 gallons of waste containing hazardous substances owned or possessed by Montgomery County, at the USOR Site.

2237. The waste generated by Montgomery County is described on USOR Site Records as “oily water” and contained some or all of the following hazardous substances: acetone, benzene, cadmium, dichloroethylene, lead, methyl ethyl ketone, methylene chloride, perchloroethylene, toluene, trichloroethane, trichloroethylene, vinyl chloride, xylenes and/or zinc.

2238. On certain occasions, Montgomery County arranged with transporter R&D Environmental Services, Inc. to transport Montgomery County’s waste streams to the USOR Site.

2239. The waste streams generated by Montgomery County fall within the definition of “solid waste” under the TSWDA.

2240. By letter dated October 30, 2015, the USOR Site PRP Group notified Montgomery County of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Montgomery County the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

2241. To date, Montgomery County has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2242. According to USOR Site Records, in at least February 2006, Defendant Monument Inn, Inc. doing business as Monument Inn Restaurant (“Monument Inn”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 3,850 gallons of waste containing hazardous substances owned or possessed by Monument Inn, at the USOR Site.

2243. The waste generated by Monument Inn is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: acetone, arsenic, benzene, cadmium, chromium, dichloroethylene, lead, methyl ethyl ketone, methylene chloride, perchloroethylene, toluene, trichloroethane, trichloroethylene, vinyl chloride, xylenes and/or zinc.

2244. On certain occasions, Monument Inn arranged with transporter Earth America to transport Monument Inn’s waste streams to the USOR Site.

2245. The waste streams generated by Monument Inn fall within the definition of “solid waste” under the TSWDA.

2246. By letter dated September 4, 2015, the USOR Site PRP Group notified Monument Inn of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Monument Inn the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

2247. To date, Monument Inn has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2248. According to USOR Site Records, in at least February 2006, Defendant Moon Palace, Inc. (“Moon Palace”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 900 gallons of waste containing hazardous substances owned or possessed by Moon Palace, at the USOR Site.

2249. The waste generated by Moon Palace is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

2250. On certain occasions, Moon Palace arranged with transporter Defendant Public Sanitary Works, Inc. to transport Moon Palace’s waste streams to the USOR Site.

2251. The waste streams generated by Moon Palace fall within the definition of “solid waste” under the TSWDA.

2252. By letter dated September 18, 2015, the USOR Site PRP Group notified Moon Palace of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Moon Palace the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

2253. To date, Moon Palace has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2254. According to USOR Site Records, in at least August 2008, Defendant Moore Control Systems, Inc. (“Moore Control Systems”) by contract, agreement, or otherwise arranged

for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 111 gallons of waste containing hazardous substances owned or possessed by Moore Control Systems, at the USOR Site.

2255. The waste streams generated by Moore Control Systems are described on USOR Site Records as “oily water” and contained some or all of the following hazardous substances: acetone, benzene, chromium, ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or zinc.

2256. On certain occasions, Moore Control Systems arranged with transporter Texas Waste Carriers to transport Moore Control Systems’ waste streams to the USOR Site.

2257. The waste streams generated by Moore Control Systems fall within the definition of “solid waste” under the TSWDA.

2258. By letters dated December 5, 2013 and November 21, 2014, the USOR Site PRP Group notified Moore Control Systems of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Moore Control Systems the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

2259. To date, Moore Control Systems has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2260. According to USOR Site Records, in at least April 2005, Defendant Morco Testing (“Morco Testing”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 3,000

gallons of waste containing hazardous substances owned or possessed by Morco Testing, at the USOR Site.

2261. The waste streams generated by Morco Testing are described on USOR Site Records as “oily water” and contained some or all of the following hazardous substances: acetone, benzene, chromium, ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or zinc

2262. Morco Testing arranged with transporter Gulf Coast Vacuum to transport Morco Testing’s waste streams to the USOR Site.

2263. The waste streams generated by Morco Testing fall within the definition of “solid waste” under the TSWDA.

2264. By letter dated December 5, 2013, the USOR Site PRP Group notified Morco Testing of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Morco Testing the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

2265. To date, Morco Testing has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2266. Alternatively, MTI Services, LLC (“MTI Services”) is the successor to Morco Testing and is responsible for the waste streams attributable to Morco Testing, as alleged in paragraph nos. 2260-2261 above.

2267. MTI Services has continued the uninterrupted business activities of Morco Testing in the same location and retained certain employees and corporate personnel of Morco Testing.

2268. By letter dated March 10, 2015, the USOR Site PRP Group notified MTI Services of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered MTI Services the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

2269. To date, MTI Services has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2270. According to USOR Site Records, in at least December 2004, Defendant Morgan Oil Co. ("Morgan Oil") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 45,170 gallons of waste containing hazardous substances owned or possessed by Morgan Oil, at the USOR Site.

2271. The waste streams generated by Morgan Oil are described on USOR Site Records as "oily water" and contained some or all of the following hazardous substances: acetone, benzene, chromium, ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or zinc.

2272. On certain occasions, Morgan Oil arranged with transporter Envirovac to transport Morgan Oil's waste streams to the USOR Site.

2273. The waste streams generated by Morgan Oil fall within the definition of "solid waste" under the TSWDA.

2274. By letters dated December 5, 2013 and December 19, 2014, the USOR Site PRP Group notified Morgan Oil of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered



Morgan Oil the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

2275. To date, Morgan Oil has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2276. According to USOR Site Records, from at least July 2004 to March 2007, Defendant Munoz Enterprises, Inc. ("Munoz Enterprises") accepted for transport to the USOR Site, which was selected by Munoz Enterprises, and/or by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment of waste owned or possessed by Munoz Enterprises, at least 11,478 gallons of waste containing hazardous substances at the USOR Site.

2277. The waste streams transported by Munoz Enterprises were RCRA hazardous waste described on USOR Site Records as "RQ waste flammable liquids N.O.S. 3 UN 1993 III (contains methanol)."

2278. The waste streams transported by Munoz Enterprises are also described on USOR Site Records as "non haz. non reg. waste water" and "non-hazardous, not DOT regulated (oily wastewater, class I)" and contained some or all of the following hazardous substances: acetone, benzene, cadmium, chromium, copper, dichloroethylene, ethyl benzene, lead, manganese, methyl ethyl ketone, methylene chloride, nickel, toluene, trichloroethane, trichloroethylene and/or zinc.

2279. The waste streams Munoz Enterprises transported to the USOR Site were generated by Balmoral Group Hous. (CPR), Vopak Terminal Galena Park Inc. and Westway Trading Corporation.

2280. The waste streams generated by Munoz Enterprises and/or transported to the USOR Site by Munoz Enterprises fall within the definition of "solid waste" under the TSWDA.

2281. By letter dated October 30, 2015, the USOR Site PRP Group notified Munoz Enterprises of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Munoz Enterprises the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

2282. To date, Munoz Enterprises has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2283. According to USOR Site Records, in at least November 2005, Defendant Myung Dong Restaurant ("Myung Restaurant") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 500 gallons of waste containing hazardous substances owned or possessed by Myung Restaurant, at the USOR Site.

2284. The waste generated by Myung Restaurant is described on USOR Site Records as "grease" and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

2285. On certain occasions, Myung Restaurant arranged with transporter A-Affordable Vacuum Service to transport Myung Restaurant's waste streams to the USOR Site.

2286. The waste streams generated by Myung Restaurant fall within the definition of "solid waste" under the TSWDA.

2287. By letter dated September 4, 2015, the USOR Site PRP Group notified Myung Restaurant of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or

threatened release of hazardous substances at the USOR Site; and offered Myung Restaurant the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

2288. To date, Myung Restaurant has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2289. According to USOR Site Records, from at least November 2007 to April 2009, Defendant MzTech, Inc. doing business as UTS Environmental ("MzTech") accepted for transport to the USOR Site, which was selected by MzTech, and/or by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment of waste owned or possessed by MzTech, at least 331,651 gallons of waste containing hazardous substances at the USOR Site.

2290. The waste streams transported by MzTech were RCRA hazardous waste described on USOR Site Records as "waste corrosive liquid, acidic, inorganic, n.o.s. (fluorosilicic acid), 8, UN3264 I," "RQ waste corrosive liquid N.O.S. 8 UN 1760, PG II (sodium hydroxide)" and "waste sodium hydroxide solution, 8, UN1824, II RQ."

2291. The waste streams transported by MzTech are also described on USOR Site Records as "class 2 non hazardous, non regulated waste water" and "class 1 non hazardous, and non-regulated waste water" and contained some or all of the following hazardous substances: acetone, benzene, cadmium, chromium, copper, dichloroethylene, ethyl benzene, lead, manganese, methyl ethyl ketone, methylene chloride, nickel, toluene, trichloroethane, trichloroethylene and/or zinc.

2292. The waste streams MzTech transported to the USOR Site were generated by Channel Shipyard, Inc. and MEMC Pasadena, Inc.

2293. The waste streams generated by MzTech and/or transported to the USOR Site by MzTech fall within the definition of “solid waste” under the TSWDA.

2294. By letter dated October 30, 2015, the USOR Site PRP Group notified MzTech of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered MzTech the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

2295. To date, MzTech has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2296. Defendant New Chinese Star Restaurant Inc. doing business as Chinese Star Restaurant (“New Chinese Star”) is the successor to Chinese Star Restaurant, Inc. doing business as Chinese Star Restaurant (“Old Chinese Star”).

2297. In or about June 1990, Old Chinese Star was formed as a domestic-for-profit corporation, filed with the Texas Secretary of State, with Director/President Yung An Yang, with assumed name Chinese Star Restaurant.

2298. In or about September 2008, New Chinese Star was formed as a domestic-for-profit corporation, filed with the Texas Secretary of State, with Director/President Yung An Yang, with assumed name Chinese Star Restaurant.

2299. In or about June 2009, Old Chinese Star was dissolved with the Texas Secretary of State.

2300. Upon information and belief, New Chinese Star has continued the uninterrupted business activities of Old Chinese Star, under the same ownership as that of Old Chinese Star.

2301. According to USOR Site Records, from at least December 2005 to February 2006, Old Chinese Star by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 1,000 gallons of waste containing hazardous substances owned or possessed by Old Chinese Star, at the USOR Site.

2302. The waste generated by Old Chinese Star is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, methyl ethyl ketone, methylene chloride, molybdenum, nickel, selenium, trichloroethane, trichloroethylene and/or zinc.

2303. On certain occasions, Old Chinese Star arranged with transporter A-Affordable Vacuum Service to transport Old Chinese Star’s waste streams to the USOR Site.

2304. The waste streams generated by Old Chinese Star fall within the definition of “solid waste” under the TSWDA.

2305. By letter dated August 14, 2015, the USOR Site PRP Group notified New Chinese Star of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered New Chinese Star the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

2306. To date, New Chinese Star has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2307. According to USOR Site Records, in at least November 2005, Defendant New York Pizzeria, Inc. (“NY Pizzeria”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 1,140

gallons of waste containing hazardous substances owned or possessed by NY Pizzeria, at the USOR Site.

2308. The waste generated by NY Pizzeria is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

2309. On certain occasions, NY Pizzeria arranged with transporter Defendant Consolidated Waste, LLC, doing business as Liquid Waste Solutions, to transport NY Pizzeria’s waste streams to the USOR Site.

2310. The waste streams generated by NY Pizzeria fall within the definition of “solid waste” under the TSWDA.

2311. By letter dated September 18, 2015, the USOR Site PRP Group notified NY Pizzeria of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered NY Pizzeria the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

2312. To date, NY Pizzeria has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2313. According to USOR Site Records, in at least January 2006, Defendant Nikjiki Inc. doing business as Ginza Japanese Restaurant (“Nikjiki”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 30 gallons of waste containing hazardous substances owned or possessed by Nikjiki, at the USOR Site.

2314. The waste generated by Nikjiki is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

2315. On certain occasions, Nikjiki arranged with transporter Defendant Public Sanitary Works, Inc. to transport Nikjiki’s waste streams to the USOR Site.

2316. The waste streams generated by Nikjiki fall within the definition of “solid waste” under the TSWDA.

2317. By letter dated August 25, 2015, the USOR Site PRP Group notified Nikjiki of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Nikjiki the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

2318. To date, Nikjiki has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2319. According to USOR Site Records, in at least October 2005, Defendant Nippon Restaurant, Inc. (“Nippon Restaurant”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 1,000 gallons of waste containing hazardous substances owned or possessed by Nippon Restaurant, at the USOR Site.

2320. The waste generated by Nippon Restaurant is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

2321. On certain occasions, Nippon Restaurant arranged with transporter Defendant Public Sanitary Works, Inc. to transport Nippon Restaurant's waste streams to the USOR Site.

2322. The waste streams generated by Nippon Restaurant fall within the definition of "solid waste" under the TSWDA.

2323. By letter dated September 18, 2015, the USOR Site PRP Group notified Nippon Restaurant of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Nippon Restaurant the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

2324. To date, Nippon Restaurant has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2325. According to USOR Site Records, from at least August 2004 to May 2005, Defendant Norson Services LLC ("Norson Services") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 1,014,691 gallons of waste containing hazardous substances owned or possessed by Norson Services, at the USOR Site.

2326. The waste streams generated by Norson Services are described on USOR Site Records as "non-RCRA / non DOT regulated rinse water" and "organic" and contained some or all of the following hazardous substances: acetone, benzene, chromium, copper, lead, manganese, methyl ethyl ketone, nickel, perchloroethylene, toluene, trichloroethane, trichloroethylene and/or xylenes.



2327. On certain occasions, Norson Services arranged with transporter CES Environmental to transport Norson Services' waste streams to the USOR Site.

2328. The waste streams generated by Norson Services fall within the definition of "solid waste" under the TSWDA.

2329. By letter dated February 7, 2014, the USOR Site PRP Group notified Norson Services of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Norson Services the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

2330. On or about March 3, 2012, Norson Services executed a Participation Agreement with the USOR PRP Group to become a member of the USOR PRP Group, but Norson Services has subsequently breached the contract it entered into with the USOR PRP Group.

2331. Since breaching its contract with the USOR PRP Group, Norson Services refuses to cooperate with the USOR Site PRP Group and has not paid its equitable share of response costs incurred by the USOR Site PRP Group at the USOR Site.

2332. Alternatively, Defendant EnerMech Mechanical Services, Inc. ("EnerMech") is the successor to and/or is formerly known as Norson Services and is responsible for the waste attributable to Norson Services in paragraph nos. 2325-2326 above.

2333. Upon information and belief, EnerMech has continued the uninterrupted business activities of Norson Services in the same location and retained certain employees and corporate personnel of Norson Services.

2334. To date, EnerMech has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2335. According to USOR Site Records, in at least January 2005, Defendant North American Marine, Inc. (“North American Marine”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 165 gallons of waste containing hazardous substances owned or possessed by North American Marine, at the USOR Site.

2336. On certain occasions, North American Marine arranged with transporter Turnerco to transport North American Marine’s waste streams to the USOR Site.

2337. The waste streams generated by North American Marine fall within the definition of “solid waste” under the TSWDA.

2338. By letter dated November 21, 2014, the USOR Site PRP Group notified North American Marine of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered North American Marine the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

2339. To date, North American Marine has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2340. According to USOR Site Records, from at least March 2005 to April 2006, Defendant North American Oil (“North American Oil”) accepted for transport to the USOR Site, which was selected by North American Oil, and/or by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or

treatment of waste owned or possessed by North American Oil, at least 80,399 gallons of waste containing hazardous substances at the USOR Site.

2341. The waste streams North American Oil generated, transported and/or arranged for disposal are described on USOR Site Records as wastes including but not limited to “water oil separator [sic],” “grease trap non hazardous,” “class # 2 non haz oily H<sub>2</sub>O,” “class 2 for recycle,” “oily water for recycle,” “grit,” “tank bottoms,” “municipal” and “nonhazardous oilwater” and contained some or all of the following hazardous substances: acetone, benzene, cadmium, chromium, copper, dichlorethylene, ethyl benzene, lead, methyl ethyl ketone, methylene chloride, nickel, perchloroethylene, toluene, trichloroethane, trichloroethylene and/or zinc.

2342. On certain occasions, North American Oil arranged with transporter Earthwise to transport North American Oil’s waste streams to the USOR Site.

2343. On other occasions, North American Oil transported its own waste streams to the USOR Site.

2344. On other occasions, North American Oil transported and/or arranged for disposal of waste streams generated by either North American Oil and/or generators Advanced Excavating, Groves Equipment, Defendant League City Sports Park and Defendant North American Oil Reclaimers.

2345. The waste streams North American Oil generated, transported and/or arranged for disposal fall within the definition of “solid waste” under the TSWDA.

2346. Alternatively, Defendant NAOR (“NAOR”) is responsible for the waste attributable to North American Oil in paragraph nos. 2340-2341 above.

2347. The waste streams generated by NAOR within the definition of “solid waste” under the TSWDA.

2348. To date, NAOR and North American Oil have not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2349. According to USOR Site Records, in at least March 2009, Defendant North American Packaging Corp., also known as Nampac (“North American Packaging”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 2,100 gallons of waste containing hazardous substances owned or possessed by North American Packaging, at the USOR Site.

2350. The waste streams generated by North American Packaging are described on USOR Site Records as “Non-regulated material (oil / water)” and contained some or all of the following hazardous substances: acetone, chromium, copper, dichloroethylene, lead, manganese, methyl ethyl ketone, nickel, perchloroethylene, toluene, trichloroethane, trichloroethylene and/or xylenes.

2351. On certain occasions, North American Packaging arranged with transporter Defendant Gulf Coast Vacuum to transport North American Packaging’s waste streams to the USOR Site.

2352. The waste streams generated by North American Packaging fall within the definition of “solid waste” under the TSWDA.

2353. By letters dated December 5, 2013 and September 18, 2015, the USOR Site PRP Group notified North American Packaging of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site;

and offered North American Packaging the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

2354. To date, North American Packaging has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2355. According to USOR Site Records, in at least January 2006, Defendant Northgate Country Club Management, LLC ("Northgate CC") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 1,000 gallons of waste containing hazardous substances owned or possessed by Northgate CC, at the USOR Site.

2356. The waste generated by Northgate CC is described on USOR Site Records as "grease" and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

2357. On certain occasions, Northgate CC arranged with transporter Defendant Consolidated Waste, LLC, doing business as Liquid Waste Solutions, to transport Northgate CC's waste streams to the USOR Site.

2358. The waste streams generated by Northgate CC fall within the definition of "solid waste" under the TSWDA.

2359. By letter dated September 25, 2015, the USOR Site PRP Group notified Northgate CC of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Northgate CC the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

2360. To date, Northgate CC has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2361. According to USOR Site Records, from at least April to November 2008, Defendant Oil Patch Transportation, Inc. (“Oil Patch Transportation”) accepted at least 371,342 gallons of waste containing hazardous substances for transport to the USOR Site, which was selected by Oil Patch Transportation.

2362. The waste streams transported by Oil Patch Transportation were RCRA hazardous waste described on USOR Site Records as “waste corrosive liquid, acidic, inorganic, n.o.s. (fluoroslusic [sic] acid), 8, UN3264 I.”

2363. The waste streams transported by Oil Patch Transportation are also described on USOR Site Records as “process water, non-hazardous, non-regulated,” “non hazardous waste water” and “tetra flouride [sic] water” and contained some or all of the following hazardous substances: acetone, copper, lead, methyl ethyl ketone, toluene, trichlorethane and/or xylenes.

2364. The waste streams transported to the USOR Site by Oil Patch Transportation were generated by MEMC Pasadena, Inc.

2365. The waste streams transported to the USOR Site by Oil Patch Transportation fall within the definition of “solid waste” under the TSWDA.

2366. Additionally, Defendant Oil Patch Transportation is the successor to Gulf Coast Vacuum Service, Inc. (“Gulf Coast Vacuum”).

2367. Upon information and belief, Oil Patch Transportation has continued the uninterrupted business activities of Gulf Coast Vacuum in the same location and retained certain employees and corporate personnel of Gulf Coast Vacuum.

2368. According to USOR Site Records, from at least March 2004 to March 2007, Gulf Coast Vacuum accepted for transport to the USOR Site, which was selected by Gulf Coast Vacuum, and/or by contract, agreement or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment of waste owned or possessed by Gulf Coast Vacuum, at least 2,086,558 gallons of waste containing hazardous substances at the USOR Site.

2369. The waste streams transported by Gulf Coast Vacuum were RCRA hazardous waste described on USOR Site Records as “RQ waste flammable liquids, N.O.S., 3, UN1993 III D001 (contains methanol).”

2370. The waste streams generated by and/or transported by Gulf Coast Vacuum are also described on USOR Site Records as “non regulated oily water,” “waste water with jet fuel,” “organic” and “oil and water emulsion” and contained some or all of the following hazardous substances: acetone, benzene, chromium, ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethan, xylenes and/or zinc.

2371. On certain occasions, Gulf Coast Vacuum transported its own waste streams to the USOR Site.

2372. On other occasions, Gulf Coast Vacuum also accepted for transport to the USOR Site waste streams generated by Defendant Control Solutions, Inc., Valero and Vopak Terminal Galena Park Inc.

2373. The waste streams generated by Gulf Coast Vacuum and/or transported to the USOR Site by Gulf Coast Vacuum fall within the definition of “solid waste” under the TSWDA.

2374. By letters dated December 5, 2013 and November 2, 2015, the USOR Site PRP Group notified Oil Patch Transportation of the existence of the release or threatened release of

hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Gulf Coast Vacuum the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

2375. To date, Oil Patch Transportation has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2376. According to USOR Site Records, in at least March 2006, Defendant Olympia Bread Concepts Corp. doing business as Stone Mill Bakers ("Olympia Bread") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 30 gallons of waste containing hazardous substances owned or possessed by Olympia Bread, at the USOR Site.

2377. The waste generated by Olympia Bread is described on USOR Site Records as "grease" and contained some or all of the following hazardous substances: acetone, arsenic, benzene, cadmium, chromium, dichloroethylene, lead, methyl ethyl ketone, methylene chloride, perchloroethylene, toluene, trichloroethane, trichloroethylene, vinyl chloride, xylenes and/or zinc.

2378. On certain occasions, Olympia Bread arranged with transporter Defendant Public Sanitary Works, Inc. to transport Olympia Bread's waste streams to the USOR Site.

2379. The waste streams generated by Olympia Bread fall within the definition of "solid waste" under the TSWDA.

2380. By letter dated September 18, 2015, the USOR Site PRP Group notified Olympia Bread of the existence of the release or threatened release of hazardous substances at the USOR



Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Olympia Bread the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

2381. To date, Olympia Bread has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2382. According to USOR Site Records, in at least August 2005, Defendant Olympic Pools, Inc., doing business as Olympic Pools & Spas ("Olympic Pools"), by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 400 gallons of waste containing hazardous substances owned or possessed by Olympic Pools, at the USOR Site.

2383. On certain occasions, Olympic Pools arranged with transporter Defendant Eagle Construction and Environmental Services, LP to transport Olympic Pools' waste streams to the USOR Site.

2384. The waste streams generated by Olympic Pools fall within the definition of "solid waste" under the TSWDA.

2385. By letters dated December 5, 2013 and November 21, 2014, the USOR Site PRP Group notified Olympic Pools of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Olympic Pools the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

2386. To date, Olympic Pools has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2387. According to USOR Site Records, in at least December 2005, Defendant 15700 JFK Boulevard, LLC doing business as Sheraton Houston North (“Sheraton Houston North”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 2,000 gallons of waste containing hazardous substances owned or possessed by Sheraton Houston North, at the USOR Site.

2388. The waste generated by Sheraton Houston North is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

2389. On certain occasions, Sheraton Houston North arranged with transporter Defendant Consolidated Waste, LLC, doing business as Liquid Waste Solutions, to transport Sheraton Houston North’s waste streams to the USOR Site.

2390. The waste streams generated by Sheraton Houston North fall within the definition of “solid waste” under the TSWDA.

2391. By letter dated September 25, 2015, the USOR Site PRP Group notified Sheraton Houston North of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Sheraton Houston North the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR

2392. To date, Sheraton Houston North has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2393. According to USOR Site Records, in at least February 2006, Defendant Onion Creek, LLC doing business as Onion Creek (“Onion Creek”) by contract, agreement, or

otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 750 gallons of waste containing hazardous substances owned or possessed by Onion Creek, at the USOR Site.

2394. The waste generated by Onion Creek is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

2395. On certain occasions, Onion Creek arranged with transporter Defendant Consolidated Waste, LLC, doing business as Liquid Waste Solutions, to transport Onion Creek’s waste streams to the USOR Site.

2396. The waste streams generated by Onion Creek fall within the definition of “solid waste” under the TSWDA.

2397. By letter dated September 18, 2015, the USOR Site PRP Group notified Onion Creek of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Onion Creek the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

2398. To date, Onion Creek has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2399. According to USOR Site Records, from at least February 2006 to March 2006, Defendant Original Napoli Flying Pizza & Italian Restaurant, Inc. (“Original Napoli”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 40 gallons of waste containing hazardous substances owned or possessed by Original Napoli, at the USOR Site.

2400. The waste generated by Original Napoli is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

2401. On certain occasions, Original Napoli arranged with transporter Defendant Public Sanitary Works, Inc. to transport Original Napoli’s waste streams to the USOR Site.

2402. The waste streams generated by Original Napoli fall within the definition of “solid waste” under the TSWDA.

2403. By letter dated September 4, 2015, the USOR Site PRP Group notified Original Napoli of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Original Napoli the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

2404. To date, Original Napoli has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2405. According to USOR Site Records, Defendant PSC Industrial Services, LP (“PSC Industrial Services”) accepted for transport to the USOR Site, which was selected by PSC Industrial Services, and/or by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 115,000 gallons of waste containing hazardous substances owned or possessed by PSC Industrial Services, at the USOR Site.

2406. The waste streams generated and/or transported by PSC Industrial Services are described on USOR Site Records as “bio sludge (bugs),” “non-hazardous solid waste” and “organic” and contained some or all of the following hazardous substances: acetone, benzene,

chromium, ethyl benzene, manganes, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or zinc.

2407. On certain occasions, PSC Industrial Services arranged with transporter US Oil Recovery to transport PSC Industrial Services' waste streams to the USOR Site.

2408. On other occasions, PSC Industrial Services also accepted for transport to the USOR Site waste streams generated by Coastal Chemical and Defendant Control Solutions, Inc.

2409. The waste streams generated by PSC Industrial Services and/or transported to the USOR Site by PSC Industrial Services fall within the definition of "solid waste" under the TSWDA.

2410. To date, PSC Industrial Services has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2411. Alternatively, Defendant PSC Industrial Outsourcing, LP ("PSC Industrial Outsourcing") is responsible for the waste streams attributable to PSC Industrial Services, as alleged in paragraph nos. 2405-2406 above.

2412. To date, PSC Industrial Outsourcing has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2413. According to USOR Site Records, in at least October 2003, Defendant PWT Enterprises, Inc. doing business as King Kleen Car Wash ("PWT Enterprises") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 600 gallons of waste containing hazardous substances owned or possessed by PWT Enterprises, at the USOR Site.

2414. The waste generated by PWT Enterprises is described on USOR Site Records as "grit" and contained some or all of the following hazardous substances: acetone, benzene,

chromium, ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or zinc.

2415. On certain occasions, PWT Enterprises arranged with transporter Defendant Affordable Environmental Service LLC to transport PWT Enterprises' waste streams to the USOR Site.

2416. The waste streams generated by PWT Enterprises fall within the definition of "solid waste" under the TSWDA.

2417. By letter dated October 30, 2015, the USOR Site PRP Group notified PWT Enterprises of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered PWT Enterprises the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

2418. To date, PWT Enterprises has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2419. According to USOR Site Records, in at least February 2006, Defendant Papa Mex ("Papa Mex") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 50 gallons of waste containing hazardous substances owned or possessed by Papa Mex, at the USOR Site.

2420. The waste generated by Papa Mex is described on USOR Site Records as "grease" and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

2421. On certain occasions, Papa Mex arranged with transporter A-Affordable Vacuum to transport Papa Mex's waste streams to the USOR Site.

2422. The waste streams generated by Papa Mex fall within the definition of "solid waste" under the TSWDA.

2423. By letter dated September 4, 2015, the USOR Site PRP Group notified Papa Mex of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Papa Mex the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

2424. To date, Papa Mex has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2425. According to USOR Site Records, in at least August 2004, Defendant Parc Condominium Association doing business as Park IV Apts. ("Parc Condominium"), by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 100 gallons of waste containing hazardous substances owned or possessed by Parc Condominium, at the USOR Site.

2426. The waste streams generated by Parc Condominium are described on USOR Site Records as "oily" and contained some or all of the following hazardous substances: acetone, benzene, chromium, copper, dichlorobenzene, dichloroethylene, lead, methylene chloride, trichloroethane, trichloroethylene and/or zinc.

2427. On certain occasions, Parc Condominium arranged with transporter Defendant Specialized Maintenance Services, Inc. to transport Parc Condominium's waste streams to the USOR Site.

2428. The waste streams generated by Parc Condominium fall within the definition of “solid waste” under the TSWDA.

2429. By letters dated December 5, 2013 and September 18, 2015, the USOR Site PRP Group notified Parc Condominium of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Parc Condominium the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

2430. To date, Parc Condominium has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2431. According to USOR Site Records, in at least December 2005, Defendant Patrenella’s Restaurant, Inc. (“Patrenella’s Restaurant”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 1,000 gallons of waste containing hazardous substances owned or possessed by Patrenella’s Restaurant, at the USOR Site.

2432. The waste generated by Patrenella’s Restaurant is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

2433. On certain occasions, Patrenella’s Restaurant arranged with transporter Defendant Consolidated Waste, LLC, doing business as Liquid Waste Solutions, to transport Patrenella’s Restaurant’s waste streams to the USOR Site.



2434. The waste streams generated by Patrenella's Restaurant fall within the definition of "solid waste" under the TSWDA.

2435. By letter dated September 4, 2015, the USOR Site PRP Group notified Patrenella's Restaurant of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Patrenella's Restaurant the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

2436. To date, Patrenella's Restaurant has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2437. According to USOR Site Records, in at least February 2010, Defendant Patty Oil Service ("Patty Oil") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 1,000 gallons of waste containing hazardous substances owned or possessed by Patty Oil, at the USOR Site.

2438. The waste streams generated by and/or transported by Patty Oil are described on USOR Site Records as "Non hazardous/oil water" and contained some or all of the following hazardous substances: acetone, benzene, chromium, ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or zinc.

2439. On certain occasions, Patty Oil transported its own waste streams to the USOR Site.

2440. The waste streams generated by Patty Oil and/or transported to the USOR Site by Patty Oil fall within the definition of "solid waste" under the TSWDA.

2441. By letters dated December 5, 2013 and November 21, 2014, the USOR Site PRP Group notified Patty Oil of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Patty Oil the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

2442. To date, Patty Oil has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2443. According to USOR Site Records, from at least January 2005 to January 2006, Defendant Pearland Independent School District ("Pearland ISD") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 78,600 gallons of waste containing hazardous substances owned or possessed by Pearland ISD, at the USOR Site.

2444. The waste generated by Pearland ISD is described on USOR Site Records as "grease" and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

2445. On certain occasions, Pearland ISD arranged with transporter A-Affordable Vacuum to transport Pearland ISD's waste streams to the USOR Site.

2446. The waste streams generated by Pearland ISD fall within the definition of "solid waste" under the TSWDA.

2447. By letter dated August 14, 2015, the USOR Site PRP Group notified Pearland ISD of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or

threatened release of hazardous substances at the USOR Site; and offered Pearland ISD the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

2448. To date, Pearland ISD has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2449. According to USOR Site Records, from at least January 2006 to February 2006, Defendant Peifon Food USA, Inc. doing business as Southern Noodle Company, Inc. ("Peifon Food") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 2,550 gallons of waste containing hazardous substances owned or possessed by Peifon Food, at the USOR Site.

2450. The waste generated by Peifon Food is described on USOR Site Records as "grease" and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

2451. On certain occasions, Peifon Food arranged with transporter A-Affordable Vacuum Service to transport Peifon Food's waste streams to the USOR Site.

2452. The waste streams generated by Peifon Food fall within the definition of "solid waste" under the TSWDA.

2453. By letter dated September 18, 2015, the USOR Site PRP Group notified Peifon Food of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Peifon Food the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

2454. To date, Peifon Food has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2455. According to USOR Site Records, Defendant Pelican Waste Services, Inc. (“Pelican Waste”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 1,324,305 gallons of waste containing hazardous substances owned or possessed by Pelican Waste, at the USOR Site.

2456. The wastes streams Pelican Waste arranged for disposal were RCRA hazardous wastes described on USOR Site Records as “waste corrosive liquids NOS UN 3225 PGIII,” “spent sulfuric acid,” “hazardous waste water sludge,” “waste corrosive liquid, inorganic,” “contaminated waste water” and “waste N.O.S. spent caustic liquid.”

2457. The waste streams Pelican Waste arranged for disposal are also described on USOR Site Records as “non regulated waste water,” “non regulated spent triethanolamine,” “waste water with oil and diesel,” “oil water emulsion,” “paint waste” and “barge cleaning contact water” and contained some or all of the following hazardous substances: acetone, benzene, cadmium, chromium, copper, dichloroethylene, ethyl benzene, lead, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, trichloroethylene, xylenes and/or zinc.

2458. The waste streams Pelican Waste arranged for disposal at the USOR Site were generated by Bredero Price, Champion Technologies, International Ship Repair, Mitsubishi, Pilot Chemicals and TNG Utilities, among others.

2459. The waste streams arranged for disposal at the USOR Site by Pelican Waste fall within the definition of “solid waste” under the TSWDA.

2460. By letter dated December 5, 2013, the USOR Site PRP Group notified Pelican Waste of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or

threatened release of hazardous substances at the USOR Site; and offered Pelican Waste the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

2461. To date, Pelican Waste has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2462. According to USOR Site Records, in at least September 2005, Defendant Penn Maritime Inc. ("Penn Maritime") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 1,400 gallons of waste containing hazardous substances owned or possessed by Penn Maritime, at the USOR Site.

2463. On certain occasions, Penn Maritime arranged with transporter Garner Environmental to transport Penn Maritime's waste streams to the USOR Site.

2464. The waste streams generated by Penn Maritime fall within the definition of "solid waste" under the TSWDA.

2465. By letter dated December 12, 2014, the USOR Site PRP Group notified Penn Maritime of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Penn Maritime the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

2466. To date, Penn Maritime has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2467. According to USOR Site Records, in at least September 2005, Defendant Pennzoil-Quaker State Co. ("Pennzoil-Quaker") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or

treatment, at least 2,000 gallons of waste containing hazardous substances owned or possessed by Pennzoil-Quaker, at the USOR Site.

2468. The waste generated by Pennzoil-Quaker is described on USOR Site Records as “oily water” and contained some or all of the following hazardous substances: acetone, benzene, chromium, ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes, and/or zinc.

2469. On certain occasions, Pennzoil-Quaker arranged with transporter Defendant Eagle Construction and Environmental Services, LLC, doing business as SWS Environmental Services, to transport Pennzoil-Quaker’s waste streams to the USOR Site.

2470. The waste streams Pennzoil-Quaker generated, transported to and/or arranged for disposal at the USOR Site fall within the definition of “solid waste” under the TSWDA.

2471. Pennzoil-Quaker entered into a series of tolling agreements with the USOR PRP Group, which tolled all applicable statutes of limitation from August 1, 2014 through the date of this Second Amended Complaint.

2472. To date, Pennzoil-Quaker has refused to cooperate with the USOR Site PRP Group and has not paid its equitable share of response costs incurred by the USOR Site PRP Group at the USOR Site.

2473. According to USOR Site Records, in at least October 2005, Defendant Penske Truck Leasing Co., L.P. (“Penske”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 5,000 gallons of waste containing hazardous substances owned or possessed by Penske, at the USOR Site.

2474. On certain occasions, Penske arranged with transporter Columbia Environmental Services to transport Penske's waste streams to the USOR Site.

2475. The waste streams generated by Penske fall within the definition of "solid waste" under the TSWDA.

2476. To date, Penske has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2477. According to USOR Site Records, from at least February 2006 to March 2006, Defendant Pepi Corp. doing business as Alonti Café & Catering ("Alonti Café") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 60 gallons of waste containing hazardous substances owned or possessed by Alonti Café, at the USOR Site.

2478. The waste generated by Alonti Café is described on USOR Site Records as "grease" and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

2479. On certain occasions, Alonti Café arranged with transporter A-Affordable Vacuum Service to transport Alonti Café's waste streams to the USOR Site.

2480. The waste streams generated by Alonti Café fall within the definition of "solid waste" under the TSWDA.

2481. By letter dated August 14, 2015, the USOR Site PRP Group notified Alonti Café of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Alonti Café the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

2482. To date, Alonti Café has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2483. According to USOR Site Records, in at least April 2005, Defendant Petroleum Wholesale, L.P. (“Petroleum Wholesale”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 100 gallons of waste containing hazardous substances owned or possessed by Petroleum Wholesale, at the USOR Site.

2484. The waste generated by Petroleum Wholesale is described on USOR Site Records as “oily water” and contained some or all of the following hazardous substances: acetone, benzene, chromium, ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or zinc.

2485. On certain occasions, Petroleum Wholesale arranged with transporter Gulf Coast Vacuum to transport Petroleum Wholesale’s waste streams to the USOR Site.

2486. Additionally, Petroleum Wholesale does business as Sunmart (“Sunmart”).

2487. According to USOR Site Records, from at least November 2005 to February 2006, Sunmart by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 650 gallons of waste containing hazardous substances owned or possessed by Sunmart, at the USOR Site.

2488. The waste generated by Sunmart is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.



2489. On certain occasions, Sunmart arranged with transporters Defendant Public Sanitary Works, Inc. and Defendant Southern Discount Vacuum Service to transport Sunmart's waste streams to the USOR Site.

2490. The waste streams generated by Petroleum Wholesale and Sunmart fall within the definition of "solid waste" under the TSWDA.

2491. By letter dated September 18, 2015, the USOR Site PRP Group notified Petroleum Wholesale of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Petroleum Wholesale the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

2492. To date, Petroleum Wholesale has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2493. According to USOR Site Records, in at least November 2004, Defendant Philip Reclamation Services, Houston, LLC ("Philip Reclamation") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 6,061 gallons of waste containing hazardous substances owned or possessed by Philip Reclamation, at the USOR Site.

2494. On certain occasions, Philip Reclamation transported its own waste streams to the USOR Site.

2495. The waste streams generated by Philip Reclamation and/or transported to the USOR Site by Philip Reclamation fall within the definition of "solid waste" under the TSWDA.

2496. By letters dated December 5, 2013 and December 12, 2014, the USOR Site PRP Group notified Philip Reclamation of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Philip Reclamation the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

2497. To date, Philip Reclamation has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2498. According to USOR Site Records, from at least November 2004 to October 2008, Defendant Phoenix Pollution Control & Environmental Services, Inc. ("Phoenix Pollution Control") accepted for transport to the USOR Site, which was selected by Phoenix Pollution Control, and/or by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment of at least 279,562 gallons of waste containing hazardous substances owned or possessed by Phoenix Pollution Control, at the USOR Site.

2499. The waste streams Phoenix Pollution Control generated, transported, and/or arranged for disposal were RCRA hazardous waste described on USOR Site Records as "Flammable liquid NOS (methylethyl [sic] ketone, toluene [sic], other) 3, UN1993, PGI."

2500. The waste streams Phoenix Pollution Control generated, transported, and/or arranged for disposal are also described on USOR Site records as wastes including but not limited to "water with concrete dust," "paint waste," "oily waste water," "flammable liquid," "oily sludge" and "hydrocarbon contaminated water" and contained some or all of the following

hazardous substances: acetone, benzene, chromium, copper, dichlorobenzene, ethyl benzene, lead, manganese, methylene chloride, methyl ethyl ketone, nickel, toluene, trichloroethane, trichloroethylene, xylenes and/or zinc.

2501. The waste streams Phoenix Pollution Control arranged for disposal at the USOR site were generated by generators including but not limited to Defendant Apache Services, Inc., Defendant Greenhunter Biofuels, Inc., Houston Marine Services, Inc., Kwik Kar, Lighthouse Petroleum Testing & Inspection, Defendant Milstead Environmental, LLC and Ruff Corp.

2502. The waste streams arranged for disposal at the USOR Site by Phoenix Pollution Control fall within the definition of “solid waste” under the TSWDA.

2503. By letter dated December 5, 2013, the USOR Site PRP Group notified Phoenix Pollution Control of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Phoenix Pollution Control the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

2504. To date, Phoenix Pollution Control has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2505. According to USOR Site Records, in at least December 2005, Defendant Pho’s Investment Inc. doing business as Chinese Wok (“Chinese Wok”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 500 gallons of waste containing hazardous substances owned or possessed by Chinese Wok, at the USOR Site.

2506. The waste generated by Chinese Wok is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

2507. On certain occasions, Chinese Wok arranged with transporter Defendant Southern Discount Vacuum Service to transport Chinese Wok’s waste streams to the USOR Site.

2508. The waste streams generated by Chinese Wok fall within the definition of “solid waste” under the TSWDA.

2509. By letter dated September 4, 2015, the USOR Site PRP Group notified Chinese Wok of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Chinese Wok the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

2510. To date, Chinese Wok has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2511. Defendant Pinnacle Health Facilities XV, LP (“Pinnacle Health”) is the successor to and currently does business as Briarwood Nursing & Rehabilitation (“Briarwood Nursing”).

2512. In or about November 2006, Pinnacle Health entered into an Operations Transfer Agreement, by which Pinnacle Health became the operator of Briarwood Nursing.

2513. According to USOR Site Records, from at least November 2005 to March 2006, Briarwood Nursing by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 8,900 gallons of waste containing hazardous substances owned or possessed by Briarwood Nursing, at the USOR Site.

2514. The waste generated by Briarwood Nursing is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

2515. On certain occasions, Briarwood Nursing arranged with transporter Defendant Consolidated Waste, LLC, doing business as Liquid Waste Solutions, to transport Briarwood Nursing’s waste streams to the USOR Site.

2516. The waste streams generated by Briarwood Nursing fall within the definition of “solid waste” under the TSWDA.

2517. By letter dated August 14, 2015, the USOR Site PRP Group notified Pinnacle Health of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Pinnacle Health the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

2518. To date, Pinnacle Health has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2519. According to USOR Site Records, from at least October 2005 to November 2005, Defendant Pollo Riko, Inc. (“Pollo Riko”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 880 gallons of waste containing hazardous substances owned or possessed by Pollo Riko, at the USOR Site.

2520. The waste generated by Pollo Riko is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

2521. On certain occasions, Pollo Riko arranged with transporters Defendant Public Sanitary Works, Inc. and Defendant Southern Discount Vacuum Service to transport Pollo Riko's waste streams to the USOR Site.

2522. The waste streams generated by Pollo Riko fall within the definition of "solid waste" under the TSWDA.

2523. By letter dated September 4, 2015, the USOR Site PRP Group notified Pollo Riko of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Pollo Riko the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

2524. To date, Pollo Riko has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2525. According to USOR Site Records, from at least February to November 2004, Defendant Polymer Chemistry Innovations, Inc. ("Polymer Chemistry") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 145,660 gallons of waste containing hazardous substances owned or possessed by Polymer Chemistry, at the USOR Site.

2526. The waste streams generated by Polymer Chemistry are described on USOR Site Records as "aqueous waste with low other toxic organics (process water tank-6)," "aqueous waste with low other toxic organics (storm water runoff)," "organic," "TK6 nonhazardous process water" and "process pump pit storm water runoff" and contained some or all of the following hazardous substances: acetone, copper, dichloroethylene, lead, methyl ethyl ketone, toluene and/or xylenes.

2527. On certain occasions, Polymer Chemistry arranged with transporter Defendant Gulf Coast Vacuum Service, Inc. and Defendant SWS Environmental Services to transport Polymer Chemistry's waste streams to the USOR Site.

2528. The waste streams generated by Polymer Chemistry fall within the definition of "solid waste" under the TSWDA.

2529. By letter dated December 5, 2013, the USOR Site PRP Group notified Polymer Chemistry of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Polymer Chemistry the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

2530. To date, Polymer Chemistry has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2531. According to USOR Site Records, in at least January 2006, Defendant Poom Thai, Inc. doing business as Nit Noi Restaurant ("Poom Thai") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 3,500 gallons of waste containing hazardous substances owned or possessed by Poom Thai, at the USOR Site.

2532. The waste generated by Poom Thai is described on USOR Site Records as "grease" and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

2533. On certain occasions, Poom Thai arranged with transporter A-Affordable Vacuum Service to transport Poom Thai's waste streams to the USOR Site.

2534. The waste streams generated by Poom Thai fall within the definition of “solid waste” under the TSWDA.

2535. By letter dated September 4, 2015, the USOR Site PRP Group notified Poom Thai of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Poom Thai the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

2536. To date, Poom Thai has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2537. According to USOR Site Records, in at least December 2005, Defendant Premier Cash Inc. doing business as Just Oxtails Soul Food and Forty Weight Gravy (“Premier Cash”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 750 gallons of waste containing hazardous substances owned or possessed by Premier Cash, at the USOR Site.

2538. The waste generated by Premier Cash is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

2539. On certain occasions, Premier Cash arranged with transporter Defendant Consolidated Waste, LLC, doing business as Liquid Waste Solutions, to transport Premier Cash’s waste streams to the USOR Site.

2540. The waste streams generated by Premier Cash fall within the definition of “solid waste” under the TSWDA.



2541. By letter dated September 4, 2015, the USOR Site PRP Group notified Premier Cash of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Premier Cash the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

2542. To date, Premier Cash has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2543. Defendant Pride and Power, Inc. ("Pride and Power") is also known as and/or is formerly known as PPI ("PPI").

2544. Upon information and belief, Pride and Power has continued the uninterrupted business activities of PPI in the same location and retained certain employees and corporate personnel of PPI.

2545. According to USOR Site Records, in at least April 2005, PPI by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 2,200 gallons of waste containing hazardous substances owned or possessed by PPI.

2546. The waste streams generated by PPI are described on USOR Site Records as "non-RCRA/non DOT regulated rinse water," and contained some or all of the following hazardous substances: acetone, cadmium, chromium, copper, dichloroethylene, lead, methylene chloride, methyl ethyl ketone, nickel, toluene, trichloroethane, trichloroethylene and/or zinc.

2547. On certain occasions, PPI arranged with transporter CES Environmental to transport PPI's waste streams to the USOR Site.

2548. The waste streams generated by PPI fall within the definition of “solid waste” under the TSWDA.

2549. By letter dated September 18, 2015, the USOR Site PRP Group notified Pride and Power of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Pride and Power the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

2550. To date, Pride and Power has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2551. According to USOR Site Records, from at least February 2006 to March 2006, Defendant Prince’s Hamburgers (“Prince’s Hamburgers”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 4,580 gallons of waste containing hazardous substances owned or possessed by Prince’s Hamburgers, at the USOR Site.

2552. The waste generated by Prince’s Hamburgers is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

2553. On certain occasions, Prince’s Hamburgers arranged with transporter Defendant Public Sanitary Works, Inc. to transport Prince Hamburgers’ waste streams to the USOR Site.

2554. The waste streams generated by Prince’s Hamburgers fall within the definition of “solid waste” under the TSWDA.

2555. By letter dated September 18, 2015, the USOR Site PRP Group notified Prince's Hamburgers of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Prince's Hamburgers the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

2556. To date, Prince's Hamburgers has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2557. According to USOR Site Records, from at least June 2006 to May 2007, Defendant Printpack, Inc. ("Printpack") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 18,100 gallons of waste containing hazardous substances owned or possessed by Printpack, at the USOR Site.

2558. The waste streams generated by Printpack are described on USOR Site Records as "wash water" or "waste chill roll wash water from heat exchanger" and contained some or all of the following hazardous substances: acetone, copper, dichloroethylene, lead, methyl ethyl ketone, toluene and/or xylenes.

2559. On certain occasions, Printpack arranged with transporter Ashland Distribution c/o ES SW and Defendant Eagle Construction and Environmental Services, LLC to transport Printpack's waste streams to the USOR site.

2560. The waste streams generated by Printpack fall within the definition of "solid waste" under the TSWDA.

2561. By letter dated December 5, 2013, the USOR Site PRP Group notified Printpack of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Printpack the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

2562. To date, Printpack has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2563. According to USOR Site Records, in at least November 2005, Defendant Professional Air Systems, Inc. ("Professional Air Systems") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 1,000 gallons of waste containing hazardous substances owned or possessed by Professional Air Systems, at the USOR Site.

2564. The waste generated by Professional Air Systems is described on USOR Site Records as "organic" and contained some or all of the following hazardous substances: acetone, benzene, lead, methyl ethyl ketone, nickel, perchloroethylene, toluene, vinyl chloride and/or zinc.

2565. On certain occasions, Professional Air Systems arranged with transporter Double A to transport Professional Air Systems' waste streams to the USOR Site.

2566. The waste streams generated by Professional Air Systems fall within the definition of "solid waste" under the TSWDA.

2567. By letter dated November 21, 2014, the USOR Site PRP Group notified Professional Air Systems of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to

eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Professional Air Systems the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

2568. To date, Professional Air Systems has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2569. According to USOR Site Records, in at least December 2005, Defendant Pronto Cucinino, L.P. ("Pronto Cucinino") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 2,700 gallons of waste containing hazardous substances owned or possessed by Pronto Cucinino, at the USOR Site.

2570. The waste generated by Pronto Cucinino is described on USOR Site Records as "grease" and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

2571. On certain occasions, Pronto Cucinino arranged with transporter Defendant Consolidated Waste, LLC, doing business as Liquid Waste Solutions, to transport Pronto Cucinino's waste streams to the USOR Site.

2572. The waste streams generated by Pronto Cucinino fall within the definition of "solid waste" under the TSWDA.

2573. By letter dated September 18, 2015, the USOR Site PRP Group notified Pronto Cucinino of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or

threatened release of hazardous substances at the USOR Site; and offered Pronto Cucinino the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

2574. To date, Pronto Cucinino has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2575. According to USOR Site Records, from at least September 2003 to June 2009, Defendant Public Sanitary Works, Inc. ("Public Sanitary") accepted at least 689,072 gallons of waste containing hazardous substances for transport to the USOR Site, which was selected by Public Sanitary.

2576. The waste streams transported by Public Sanitary are described on USOR Site Records as "bilge water," "grease trap," "grit trap," "lint trap," "lint," "grit," "grease" and "disposal grease" and contained some or all of the following hazardous substances: acetone, benzene, cadmium, chromium, copper, dichlorobenzene, dichloroethylene, lead, methylene chloride, methyl ethyl ketone, nickel, toluene, trichloroethane, trichloroethylene and/or zinc.

2577. The waste streams Public Sanitary transported to the USOR Site were generated by, including but not limited to, generators El Palasico [sic], Fresno Manufacturing, OJ's Carwash, Southwest Shipyard, Tel-Wink Grill and Winners Pizza.

2578. The waste streams transported to the USOR Site by Public Sanitary fall within the definition of "solid waste" under the TSWDA.

2579. By letter dated December 5, 2013, the USOR Site PRP Group notified Public Sanitary of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or

threatened release of hazardous substances at the USOR Site; and offered Public Sanitary the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

2580. To date, Public Sanitary has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2581. According to USOR Site Records, from at least December 2005 to January 2008, Defendant Pulido Trucking, LP ("Pulido Trucking") accepted at least 428,270 gallons of waste containing hazardous substances for transport to the USOR Site, which was selected by Pulido Trucking.

2582. The waste streams transported by Pulido Trucking were RCRA hazardous wastes described on USOR Site Records as "RQ waste flammable liquid, N.O.S (benzene oil) 3, UN1993, PG II" and "RQ waste flammable solids, organic, N.O.S. 4.1, UN1325, PG III."

2583. The waste streams transported by Pulido Trucking are also described on USOR Site Records as "non hazardous waste water," "waste coolant," "construction debris," "non haz/non regulated fire water," "petroleum contaminated soil and water," "non hazardous rinse water and hydraulic fluid," "other organic solids" and "weathered rail road ties" and contained some or all of the following hazardous substances: acetone, benzene, chromium, copper, dichloroethylene, ethyl benzene, lead, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or zinc.

2584. The waste streams Pulido Trucking transported to the USOR Site were generated by Elite Environmental Services, Inc., Hexion Specialty Chemicals, Houston International Terminals, K-Solv, LP, LabCorp, Lufkin Industries, Inc., Defendant Texas A&M University and Texas Industrial Box Maintenance.

2585. The waste streams transported to the USOR Site by Texas Industrial Box Maintenance fall within the definition of “solid waste” under the TSWDA.

2586. By letter dated April 24, 2015, the USOR Site PRP Group notified Pulido Trucking of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Pulido Trucking the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

2587. To date, Pulido Trucking has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2588. Alternatively, Defendant Martin Pulido Trucking Inc. (“Martin Pulido Trucking”) is responsible for the waste streams attributable to Pulido Trucking, as alleged in paragraph nos. 2581-2583 above.

2589. To date, Martin Pulido Trucking has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2590. According to USOR Site Records, in at least January 2006, Defendant The Pyramid Community Development Corporation doing business as The Power Center (“Power Center”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 4,000 gallons of waste containing hazardous substances owned or possessed by Power Center, at the USOR Site.

2591. The waste generated by Power Center is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.



2592. On certain occasions, Power Center arranged with transporter A-Affordable Vacuum Service to transport Power Center's waste streams to the USOR Site.

2593. The waste streams generated by Power Center fall within the definition of "solid waste" under the TSWDA.

2594. By letter dated October 30, 2015, the USOR Site PRP Group notified Power Center of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Power Center the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

2595. To date, Power Center has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2596. According to USOR Site Records, from at least November 2005 to March 2006, Defendant The Quizno's Master LLC ("Quiznos") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 200 gallons of waste containing hazardous substances owned or possessed by Quiznos, at the USOR Site.

2597. The waste generated by Quiznos is described on USOR Site Records as "grease" and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

2598. On certain occasions, Quiznos arranged with transporters Defendant Consolidated Waste, LLC, doing business as Liquid Waste Solutions, and Unique Sanitation to transport Quiznos' waste streams to the USOR Site.

2599. The waste streams generated by Quiznos fall within the definition of “solid waste” under the TSWDA.

2600. By letter dated October 30, 2015, the USOR Site PRP Group notified Quiznos of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Quiznos the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

2601. To date, Quiznos has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2602. According to USOR Site Records, in at least January 2006, Defendant R.I.J. Industries Inc. doing business as Port Café (“RIJ Industries”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 1,500 gallons of waste containing hazardous substances owned or possessed by RIJ Industries, at the USOR Site.

2603. The waste generated by RIJ Industries is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

2604. On certain occasions, RIJ Industries arranged with transporter Defendant Consolidated Waste, LLC, doing business as Liquid Waste Solutions, to transport RIJ Industries’ waste streams to the USOR Site.

2605. The waste streams generated by RIJ Industries fall within the definition of “solid waste” under the TSWDA.

2606. By letter dated September 18, 2015, the USOR Site PRP Group notified RIJ Industries of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered RIJ Industries the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

2607. To date, RIJ Industries has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2608. According to USOR Site Records, in at least December 2008, Defendant Railroad Commission of Texas ("RRC of Texas") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 24 gallons of waste containing hazardous substances owned or possessed by RRC of Texas, at the USOR Site.

2609. The waste streams generated by RRC of Texas are described on USOR Site Records as "oily pads" and contained some or all of the following hazardous substances: acetone, benzene, chromium, ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or zinc.

2610. On certain occasions, RRC of Texas arranged with transporter Ensource Corp. to transport RRC of Texas' waste streams to the USOR Site.

2611. The waste streams generated by RRC of Texas fall within the definition of "solid waste" under the TSWDA.

2612. By letter dated January 22, 2015, the USOR Site PRP Group notified RRC of Texas of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or

threatened release of hazardous substances at the USOR Site; and offered RRC of Texas the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

2613. To date, RRC of Texas has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2614. According to USOR Site Records, in at least December 2005, Defendant Randall's Food Markets, Inc. ("Randall's Food") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 1,000 gallons of waste containing hazardous substances owned or possessed by Randall's Food, at the USOR Site.

2615. The waste generated by Randall's Food is described on USOR Site Records as "grit" and contained some or all of the following hazardous substances: acetone, benzene, chromium, copper, dichlorobenzene, dichloroethylene, ethyl benzene, lead, manganese, methyl ethyl ketone, methylene chloride, nickel, toluene, trichloroethane, trichloroethylene, xylenes and/or zinc.

2616. On certain occasions, Randall's Food arranged with transporter A-Affordable Vacuum Service to transport Randall's Food's waste streams to the USOR Site.

2617. The waste streams generated by Randall's Food fall within the definition of "solid waste" under the TSWDA.

2618. By letter dated October 30, 2015, the USOR Site PRP Group notified Randall's Food of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Randall's Food the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

2619. To date, Randall's Food has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2620. According to USOR Site Records, from at least December 2003 to June 2005, Defendant The RectorSeal Corp. ("RectorSeal") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 180,350 gallons of waste containing hazardous substances owned or possessed by RectorSeal, at the USOR Site.

2621. The waste streams generated by RectorSeal are described on USOR Site Records as "non-RCRA/non DOT rinse water" and "organic" and contained some or all of the following hazardous substances: acetone, copper, dichloroethylene, lead, methyl ethyl ketone, toluene, trichloroethane and/or xylenes.

2622. On certain occasions, RectorSeal arranged with transporter CES Environmental to transport RectorSeal's waste streams to the USOR Site.

2623. The waste streams generated by RectorSeal fall within the definition of "solid waste" under the TSWDA.

2624. By letters dated December 5, 2013 and April 24, 2015, the USOR Site PRP Group notified RectorSeal of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered RectorSeal the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

2625. To date, RectorSeal has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2626. According to USOR Site Records, from at least October 2005 to March 2006, Defendant Red Lobster Management LLC (“Red Lobster”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 5,250 gallons of waste containing hazardous substances owned or possessed by Red Lobster, at the USOR Site.

2627. The waste generated by Red Lobster is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

2628. On certain occasions, Red Lobster arranged with transporter Earth America to transport Red Lobster’s waste streams to the USOR Site.

2629. The waste streams generated by Red Lobster fall within the definition of “solid waste” under the TSWDA.

2630. By letter dated September 18, 2015, the USOR Site PRP Group notified Red Lobster of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Red Lobster the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

2631. To date, Red Lobster has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2632. According to USOR Site Records, in at least March 2006, Defendant Reggae Hut Café (“Reggae Hut”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 30 gallons of waste containing hazardous substances owned or possessed by Reggae Hut, at the USOR Site.

2633. The waste generated by Reggae Hut is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

2634. On certain occasions, Reggae Hut arranged with transporter Defendant Consolidated Waste, LLC, doing business as Liquid Waste Solutions, to transport Reggae Hut’s waste streams to the USOR Site.

2635. The waste streams generated by Reggae Hut fall within the definition of “solid waste” under the TSWDA.

2636. By letter dated September 18, 2015, the USOR Site PRP Group notified Reggae Hut of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Reggae Hut the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

2637. To date, Reggae Hut has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2638. Defendant Regio Vacuum Service, Inc. (“Regio Vacuum”) is also known as El Regio Vacuum Service (“El Regio Vacuum”).

2639. According to USOR Site Records, from at least July 2004 to June 2006, El Regio Vacuum accepted at least 134,830 gallons of waste containing hazardous substances for transport to the USOR Site, which was selected by El Regio Vacuum.

2640. The waste streams transported by El Regio Vacuum are described on USOR Site Records as “other aqueous waste or wastewater (scrubber water),” “AQ waste with low dissolved solids (water contaminated with spilled resin),” “very dilute aqueous waste containing more than

99 percent water,” “caustic aqueous waste without cyanides (wesp) blowdown water,” “non hazardous, non regulated boiler water,” “other organic liquid (wax tank cleanup water),” “other aqueous waste with low dissolved solids (aqueous waste stream),” “oil and water emulsion,” “other organic liquid (MDI tank cleanup water)” and “waste oil” and contained some or all of the following hazardous substances: acetone, benzene, chromium, copper, dichloroethylene, lead, ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or zinc.

2641. The waste streams El Regio Vacuum transported to the USOR Site were generated by Borden Chemical, Breco International, Champion Technologies, Citgas Car Wash, Farouk Systems, GE Batz, General Dynamics Mfg., Hexion Specialty Chemicals, Johnson Interest, Louisiana-Pacific Corporation, Pipeline Realty, Southwest Shipyard – Brady Island, Superior Packaging and Distribution, and Texas Barge and Boat.

2642. The waste streams transported to the USOR Site by El Regio Vacuum fall within the definition of “solid waste” under the TSWDA.

2643. By letters dated December 5, 2013 and September 4, 2015, the USOR Site PRP Group notified El Regio Vacuum and Regio Vacuum, respectively, of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered El Regio Vacuum and Regio Vacuum the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

2644. To date, Regio Vacuum has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.



2645. According to USOR Site Records, from Defendant REM Research Group, Inc. (“REM Research”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 341,958 gallons of waste containing hazardous substances owned or possessed by REM Research, at the USOR Site.

2646. The waste streams generated by REM Research are described in USOR Site Records as “waste water” and “oily water” and contained some or all of the following hazardous substances: chromium, copper, dichlorobenzene, dichloroethylene, lead, methylene chloride, trichloroethane, trichloroethylene and/or xylenes.

2647. On certain occasions, REM Research arranged with transporters Alamo Petroleum Exchange, Defendant Regio Vacuum Service, Inc., Fourway, Defendant Gulf Coast Vacuum Service, Inc., Defendant HET Environmental, Defendant Lighthouse Environmental Services, Inc., R&D Environmental Services, Inc. and US Oil Recovery, to transport REM Research’s waste streams to the USOR Site.

2648. The waste streams generated by REM Research fall within the definition of “solid waste” under the TSWDA.

2649. By letters dated December 5, 2013 and April 24, 2015, the USOR Site PRP Group notified REM Research of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered REM Research the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

2650. To date, REM Research has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2651. Defendant Rescar Companies, Inc. (“Rescar Companies”) is formerly known as Rescar Industries, Inc. (“Rescar”). Pursuant to a Certificate of Amendment to Rescar’s Articles of Incorporation filed on December 27, 2010 with Secretary of the State of Nevada, Rescar’s name was amended to Rescar Companies.

2652. According to USOR Site Records, from at least January to December 2005, Rescar by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 1,669,035 gallons of waste containing hazardous substances owned or possessed by Rescar, at the USOR Site.

2653. The waste streams generated by Rescar are described on USOR Site Records as “non-RCRA non DOT regulated rinse water,” “railcar rinse water,” “storm water,” “oily water,” “rinse water w/ low organics,” “non dot regulated material, 27-37712 non hazardous waste water, 196929,” “non-regulated waste (rinse water, low organic),” “water+ oil mixed,” “oil mixed with water,” “copper naphthenate & rinsate [sic],” “tank sludge,” “railcar rinse water les# 195998” and contained some or all of the following hazardous substances: acetone, benzene, chromium, ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or zinc.

2654. On certain occasions, Rescar arranged with transporters Bayou City Waste Systems, Defendant Bayou City Environmental Services, LP, Eagle Construction and Environmental Services LP to transport Rescar’s waste streams to the USOR Site.

2655. The waste streams generated by Rescar and/or transported to the USOR Site by Rescar fall within the definition of “solid waste” under the TSWDA.

2656. By letter dated December 5, 2013, the USOR Site PRP Group notified Rescar of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Rescar the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

2657. To date, Rescar Companies has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2658. According to USOR Site Records, from at least November 2005 to February 2006, Defendant Rice Epicurean Markets, LLC ("Rice Epicurean") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 8,990 gallons of waste containing hazardous substances owned or possessed by Rice Epicurean, at the USOR Site.

2659. The waste generated by Rice Epicurean is described on USOR Site Records as "grease" and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

2660. On certain occasions, Rice Epicurean arranged with transporter Defendant Consolidated Waste, LLC, doing business as Liquid Waste Solutions, to transport Rice Epicurean's waste streams to the USOR Site.

2661. The waste streams generated by Rice Epicurean fall within the definition of "solid waste" under the TSWDA.

2662. By letter dated September 4, 2015, the USOR Site PRP Group notified Rice Epicurean of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or

threatened release of hazardous substances at the USOR Site; and offered Rice Epicurean the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

2663. To date, Rice Epicurean has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2664. According to USOR Site Records, in at least March 2006, Defendant Rioverde Taqueria Y Restaurante ("Rioverde Taqueria") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 1,300 gallons of waste containing hazardous substances owned or possessed by Rioverde Taqueria, at the USOR Site.

2665. The waste generated by Rioverde Taqueria is described on USOR Site Records as "grease" and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

2666. On certain occasions, Rioverde Taqueria arranged with transporter Defendant Consolidated Waste, LLC, doing business as Liquid Waste Solutions, to transport Rioverde Taqueria's waste streams to the USOR Site.

2667. The waste streams generated by Rioverde Taqueria fall within the definition of "solid waste" under the TSWDA.

2668. By letter dated September 18, 2015, the USOR Site PRP Group notified Rioverde Taqueria of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Rioverde Taqueria the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

2669. To date, Rioverde Taqueria has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2670. According to USOR Site Records, in at least February 2006, Defendant Riva's Italian Restaurant and Bar ("Riva's Restaurant") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 600 gallons of waste containing hazardous substances owned or possessed by Riva's Restaurant, at the USOR Site.

2671. The waste generated by Riva's Restaurant is described on USOR Site Records as "grease" and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

2672. On certain occasions, Riva's Restaurant arranged with transporter Defendant Public Sanitary Works, Inc. to transport Riva's Restaurant's waste streams to the USOR Site.

2673. The waste streams generated by Riva's Restaurant fall within the definition of "solid waste" under the TSWDA.

2674. By letter dated September 18, 2015, the USOR Site PRP Group notified Riva's Restaurant of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Riva's Restaurant the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

2675. To date, Riva's Restaurant has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2676. According to USOR Site Records, in at least December 2005, Defendant Rivas/Garcia, Inc. doing business as Gabacho's Mexican Grill ("Rivas/Garcia") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 500 gallons of waste containing hazardous substances owned or possessed by Rivas/Garcia, at the USOR Site.

2677. The waste generated by Rivas/Garcia is described on USOR Site Records as "grease" and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

2678. On certain occasions, Rivas/Garcia arranged with transporter Defendant Southern Discount Vacuum Service to transport Rivas/Garcia's waste streams to the USOR Site.

2679. The waste streams generated by Rivas/Garcia fall within the definition of "solid waste" under the TSWDA.

2680. By letter dated August 25, 2015, the USOR Site PRP Group notified Rivas/Garcia of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Rivas/Garcia the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

2681. To date, Rivas/Garcia has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2682. According to USOR Site Records, in at least December 2003, Defendant Robbie D. Wood, Inc. ("Robbie Wood") accepted at least 2,928 gallons of waste containing hazardous substances for transport to the USOR Site, which was selected by Robbie Wood.

2683. The waste streams transported by Robbie Wood are described on USOR Site Records as “non DOT regulated (water based compound)” and “non DOT regulated (white mineral oil)” and contained some or all of the following hazardous substances: acetone, benzene, chromium, ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or zinc.

2684. The waste streams Robbie Wood transported to the USOR Site were generated by Paper Chemicals, Inc.

2685. The waste streams transported to the USOR Site by Robbie Wood fall within the definition of “solid waste” under the TSWDA.

2686. By letter dated January 23, 2015, the USOR Site PRP Group notified Robbie Wood of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Robbie Wood the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

2687. To date, Robbie Wood has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2688. According to USOR Site Records, in at least October 2005, Defendant Romano’s Flying Pizza & Pasta, Inc. doing business as Romano’s Pizza (“Romano’s Pizza”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 840 gallons of waste containing hazardous substances owned or possessed by Romano’s Pizza, at the USOR Site.

2689. The waste generated by Romano's Pizza is described on USOR Site Records as "grease" and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

2690. On certain occasions, Romano's Pizza arranged with transporter Unique Sanitation to transport Romano's Pizza's waste streams to the USOR Site.

2691. The waste streams generated by Romano's Pizza fall within the definition of "solid waste" under the TSWDA.

2692. By letter dated October 30, 2015, the USOR Site PRP Group notified Romano's Pizza of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Romano's Pizza the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

2693. To date, Romano's Pizza has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2694. According to USOR Site Records, in at least May 2005, Defendant Romtex Enterprises, Inc. ("Romtex") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 1,900 gallons of waste containing hazardous substances owned or possessed by Romtex, at the USOR Site.

2695. On certain occasions, Romtex arranged with transporter US Oil Recovery to transport Romtex's waste streams to the USOR Site.



2696. The waste streams generated by Romtex fall within the definition of “solid waste” under the TSWDA.

2697. By letter dated September 18, 2015, the USOR Site PRP Group notified Romtex of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Romtex the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

2698. To date, Romtex has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2699. According to USOR Site Records, from at least July 2004 to August 2004, Defendant Rone Engineering Services, Ltd. (“Rone Engineering”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 21,669 gallons of waste containing hazardous substances owned or possessed by Rone Engineering, at the USOR Site.

2700. The waste streams generated by Rone Engineering are described on USOR Site Records as “well water” and contained some or all of the following hazardous substances: acetone, benzene, cadmium, chromium, cobalt, copper, dichloroethylene, ethyl benzene, lead, manganese, methyl ethyl ketone, methylene chloride, nickel, perchloroethylene, trichloroethane, trichloroethylene, toluene, xylenes and/or zinc.

2701. On certain occasions, Rone Engineering arranged with transporter GCR to transport Rone Engineering’s waste streams to the USOR Site.

2702. The waste streams generated by Rone Engineering fall within the definition of “solid waste” under the TSWDA.

2703. To date, Rone Engineering has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2704. Alternatively, Defendant LEI Rone Engineers, Ltd. (“LEI Rone Engineers”) is responsible for the waste streams attributable to Rone Engineering, as alleged in paragraph nos. 2699-2670 above.

2705. To date, LEI Rone Engineers has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2706. According to USOR Site Records, in at least February 2006, Defendant Ruchi’s El Rincon De Mexico Grill (“Ruchi’s Grill”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 1,500 gallons of waste containing hazardous substances owned or possessed by Ruchi’s Grill, at the USOR Site.

2707. The waste generated by Ruchi’s Grill is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

2708. On certain occasions, Ruchi’s Grill arranged with transporter Earth America to transport Ruchi’s Grill’s waste streams to the USOR Site.

2709. The waste streams generated by Ruchi’s Grill fall within the definition of “solid waste” under the TSWDA.

2710. By letter dated October 30, 2015, the USOR Site PRP Group notified Ruchi’s Grill of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or

threatened release of hazardous substances at the USOR Site; and offered Ruchi's Grill the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

2711. To date, Ruchi's Grill has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2712. According to USOR Site Records, from at least January 2006 to February 2006, Defendant Ruman Adem, Inc. doing business as Pan Du Jour ("Ruman Adem") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 60 gallons of waste containing hazardous substances owned or possessed by Ruman Adem, at the USOR Site.

2713. The waste generated by Ruman Adem is described on USOR Site Records "grease" and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

2714. On certain occasions, Ruman Adem arranged with transporter A-Affordable Vacuum Service to transport Ruman Adem's waste streams to the USOR Site.

2715. The waste streams generated by Ruman Adem fall within the definition of "solid waste" under the TSWDA.

2716. By letter dated September 4, 2015, the USOR Site PRP Group notified Ruman Adem of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Ruman Adem the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

2717. To date, Ruman Adem has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2718. According to USOR Site Records, from at least July 2004 to March 2006, Defendant S&K Petroleum Transportation, Inc. (“S&K Petroleum”) accepted for transport to the USOR Site, which was selected by S&K Petroleum, and/or by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment of waste owned or possessed by S&K Petroleum, at least 321,861 gallons of waste containing hazardous substances at the USOR Site.

2719. The waste streams S&K Petroleum generated and/or transported are described on USOR Site Records as “oily water,” “organic,” “oil,” and “oily” and contained some or all of the following hazardous substances: acetone, benzene, chromium, ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or zinc.

2720. The waste streams S&K Petroleum transported to the USOR Site were generated by Cedar Processing, Enviro Solutions and High Island Petrochemical.

2721. The waste streams transported to the USOR Site by S&K Petroleum fall within the definition of “solid waste” under the TSWDA.

2722. By letters dated December 5, 2013 and September 18, 2015, the USOR Site PRP Group notified S&K Petroleum of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered S&K Petroleum the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

2723. S&K Petroleum has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2724. According to USOR Site Records, from at least October 2003 to May 2004 Defendant S. Holcomb Enterprises, Inc. doing business as Holcomb Oil Recycling (“Holcomb Oil”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment of waste owned or possessed by Holcomb Oil, at least 136,795 gallons of waste containing hazardous substances owned or possessed by Holcomb Oil, at the USOR Site.

2725. The waste streams generated by and/or transported by Holcomb Oil are described on USOR Site Records as “oily water,” “oil” and “organic” and “recyclable” and contained some or all of the following hazardous substances: acetone, benzene, chromium, ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or zinc.

2726. On certain occasions, Holcomb Oil transported its own waste streams to the USOR Site.

2727. The waste streams generated by Holcomb Oil and/or transported to the USOR Site by Holcomb Oil fall within the definition of “solid waste” under the TSWDA.

2728. By letter dated December 5, 2013, the USOR Site PRP Group notified Holcomb Oil of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Holcomb Oil the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

2729. To date, Holcomb Oil has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2730. According to USOR Site Records, in at least November 2005, Defendant SK Ztex LLC doing business as Steakountry Buffet (“Steakountry”) by contract, agreement, or otherwise

arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 5,100 gallons of waste containing hazardous substances owned or possessed by Steakountry, at the USOR Site.

2731. The waste generated by Steakountry is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

2732. On certain occasions, Steakountry arranged with transporter Defendant Consolidated Waste, LLC, doing business as Liquid Waste Solutions, to transport Steakountry’s waste streams to the USOR Site.

2733. The waste streams generated by Steakountry fall within the definition of “solid waste” under the TSWDA.

2734. By letter dated September 4, 2015, the USOR Site PRP Group notified Steakountry of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Steakountry the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

2735. To date, Steakountry has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2736. According to USOR Site Records, in at least October 2005, Defendant Safari Restaurant (“Safari Restaurant”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 1,000 gallons of waste containing hazardous substances owned or possessed by Safari Restaurant, at the USOR Site.

2737. The waste generated by Safari Restaurant is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

2738. On certain occasions, Safari Restaurant arranged with transporter Unique Sanitation to transport Safari Restaurant’s waste streams to the USOR Site.

2739. The waste streams generated by Safari Restaurant fall within the definition of “solid waste” under the TSWDA.

2740. By letter dated September 18, 2015, the USOR Site PRP Group notified Safari Restaurant of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Safari Restaurant the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

2741. To date, Safari Restaurant has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2742. According to USOR Site Records, in at least February 2006, Defendant St. Giles Living Centers, Inc. (“St. Giles”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 500 gallons of waste containing hazardous substances owned or possessed by St. Giles, at the USOR Site.

2743. The waste generated by St. Giles is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

2744. On certain occasions, St. Giles arranged with transporter Defendant Public Sanitary Works, Inc. to transport St. Giles's waste streams to the USOR Site.

2745. The waste streams generated by St. Giles fall within the definition of "solid waste" under the TSWDA.

2746. By letter dated September 18, 2015, the USOR Site PRP Group notified St. Giles of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered St. Giles the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

2747. To date, St. Giles has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2748. According to USOR Site Records, in at least October 2005, Defendant Sambuca Houston, L.P. ("Sambuca Houston") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 3,550 gallons of waste containing hazardous substances owned or possessed by Sambuca Houston, at the USOR Site.

2749. The waste generated by Sambuca Houston is described on USOR Site Records as "grease" and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

2750. On certain occasions, Sambuca Houston arranged with transporter Earth America to transport Sambuca Houston's waste streams to the USOR Site.

2751. The waste streams generated by Sambuca Houston fall within the definition of "solid waste" under the TSWDA.



2752. By letter dated October 30, 2015, the USOR Site PRP Group notified Sambuca Houston of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Sambuca Houston the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

2753. To date, Sambuca Houston has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2754. According to USOR Site Records, from at least December 2005 to March 2006, Defendant Sandwich King, Inc. ("Sandwich King") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 90 gallons of waste containing hazardous substances owned or possessed by Sandwich King, at the USOR Site.

2755. The waste generated by Sandwich King is described on USOR Site Records as "grease" and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

2756. On certain occasions, Sandwich King arranged with transporter Defendant Consolidated Waste, LLC, doing business as Liquid Waste Solutions, to transport Sandwich King's waste streams to the USOR Site.

2757. The waste streams generated by Sandwich King fall within the definition of "solid waste" under the TSWDA.

2758. By letter dated September 18, 2015, the USOR Site PRP Group notified Sandwich King of the existence of the release or threatened release of hazardous substances at the USOR

Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Sandwich King the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

2759. To date, Sandwich King has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2760. SavaSeniorCare, LLC ("SavaSeniorCare") is the owner and/or operator of Northwest Health and Rehabilitation Center ("Northwest Health").

2761. According to USOR Site Records, in at least February 2006, Northwest Health by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 30 gallons of waste containing hazardous substances owned or possessed by Northwest Health, at the USOR Site.

2762. The waste generated by Northwest Health is described on USOR Site Records as "grease" and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

2763. On certain occasions, Northwest Health arranged with transporter A-Affordable Vacuum Service to transport Northwest Health's waste streams to the USOR Site.

2764. The waste streams generated by Northwest Health fall within the definition of "solid waste" under the TSWDA.

2765. Additionally, upon information and belief, Westchase Health and Rehabilitation Center ("Westchase Health") is formerly known as Mariner Health of Southwest Houston ("Mariner Health").

2766. SavaSeniorCare is the owner and/or operator of Westchase Health.

2767. According to USOR Site Records, in at least February 2006, Mariner Health by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 300 gallons of waste containing hazardous substances owned or possessed by Mariner Health, at the USOR Site.

2768. The waste generated by Mariner Health is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

2769. On certain occasions, Mariner Health arranged with transporter Defendant Public Sanitary Works, Inc. to transport Mariner Health’s waste streams to the USOR Site.

2770. The waste streams generated by Mariner Health fall within the definition of “solid waste” under the TSWDA.

2771. Additionally, SavaSeniorCare is the owner and/or operator of Faith Memorial Nursing Home (“Faith Memorial”).

2772. According to USOR Site Records, from at least January 2006 to March 2006, Faith Memorial by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 60 gallons of waste containing hazardous substances owned or possessed by Faith Memorial, at the USOR Site.

2773. The waste generated by Faith Memorial is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

2774. On certain occasions, Faith Memorial arranged with transporter Defendant Public Sanitary Works, Inc. to transport Faith Memorial’s waste streams to the USOR Site.

2775. The waste streams generated by Faith Memorial fall within the definition of “solid waste” under the TSWDA.

2776. Additionally, SavaSeniorCare is the owner and/or operator of Southfield Healthcare Center (“Southfield Health”).

2777. According to USOR Site Records, from at least November 2005 to October 2007, Defendant Sbarro LLC (“Sbarro”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 1,700 gallons of waste containing hazardous substances owned or possessed by Sbarro, at the USOR Site.

2778. The waste generated by Sbarro is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

2779. On certain occasions, Sbarro arranged with transporter Defendant Consolidated Waste, LLC, doing business as Liquid Waste Solutions, to transport Sbarro’s waste streams to the USOR Site.

2780. The waste streams generated by Sbarro fall within the definition of “solid waste” under the TSWDA.

2781. By letter dated September 18, 2015, the USOR Site PRP Group notified Sbarro of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Sbarro the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

2782. To date, Sbarro has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2783. According to USOR Site Records, in at least February 2006, Defendant Schabuett, Inc. doing business as Roland's Swiss Pastry & Bakery ("Schabuett") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 30 gallons of waste containing hazardous substances owned or possessed by Schabuett, at the USOR Site.

2784. The waste generated by Schabuett is described on USOR Site Records as "grease" and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

2785. On certain occasions, Schabuett arranged with transporter Defendant Public Sanitary Works, Inc. to transport Schabuett's waste streams to the USOR Site.

2786. The waste streams generated by Schabuett fall within the definition of "solid waste" under the TSWDA.

2787. By letter dated September 4, 2015, the USOR Site PRP Group notified Schabuett of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Schabuett the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

2788. To date, Schabuett has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2789. According to USOR Site Records, from at least March 2005 to March 2006, Defendant Schultz Bros., Inc. ("Schultz Bros.") accepted at least 828,728 gallons of waste

containing hazardous substances for transport to the USOR Site, which was selected by Schultz Bros.

2790. The waste streams transported by Schultz Bros. are described on USOR Site Records as “organic” and “oily water” and contained some or all of the following hazardous substances: acetone, benzene, chromium, ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or zinc.

2791. The waste streams Schultz Bros. transported to the USOR Site were generated by Fort Bend County Landfill and R&M Energy.

2792. The waste streams transported to the USOR Site by Schultz Bros. fall within the definition of “solid waste” under the TSWDA.

2793. To date, Schultz Bros. has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2794. According to USOR Site Records, from at least November 2005 to March 2006, Defendant Seafood Corner (“Seafood Corner”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 150 gallons of waste containing hazardous substances owned or possessed by Seafood Corner, at the USOR Site.

2795. The waste generated by Seafood Corner is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

2796. On certain occasions, Seafood Corner arranged with transporter Defendant Consolidated Waste, LLC, doing business as Liquid Waste Solutions, to transport Seafood Corner’s waste streams to the USOR Site.

2797. The waste streams generated by Seafood Corner fall within the definition of “solid waste” under the TSWDA.

2798. By letter dated September 18, 2015, the USOR Site PRP Group notified Seafood Corner of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Seafood Corner the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

2799. To date, Seafood Corner has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2800. Defendant Sears Holdings Corporation (“Sears Holdings”) is the successor to Kmart Holding Corporation (“Kmart”).

2801. Kmart and Sears, Roebuck and Co. merged to form Sears Holdings in or about November 2004.

2802. According to USOR Site Records, from at least August to October 2004, Kmart by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 5,300 gallons of waste containing hazardous substances owned or possessed by Kmart, at the USOR Site.

2803. The waste streams generated by Kmart are described on USOR Site Records as “oily water” and “oil” and contained some or all of the following hazardous substances: acetone, benzene, cadmium, dichloroethylene, lead, mercury, methyl ethyl ketone, methylene chloride, perchloroethylene, toluene, trichloroethane, trichloroethylene, vinyl chloride, xylenes and/or zinc.

2804. Kmart arranged with transporter Defendant Eagle Construction and Environmental Services, LLC to transport Kmart's waste streams to the USOR Site.

2805. Additionally, Sears is the franchisor of Sears Home & Business Franchises, Inc., which is formerly known as Sears Carpet and Upholstery Care, Inc. ("Sears Carpet").

2806. According to USOR Site Records, in at least November 2004, Sears Carpet by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 1,000 gallons of waste containing hazardous substances owned or possessed by Sears Carpet, at the USOR Site.

2807. The waste streams generated by Sears Carpet are described on USOR Site Records as "organic" and contained some or all of the following hazardous substances: acetone, benzene, copper, lead, methyl ethyl ketone, nickel, perchloroethylene, silver, tin, toluene, trichloroethane, trichloroethylene, vinyl chloride and/or zinc.

2808. Sears Carpet arranged with transporter Defendant Eagle Construction and Environmental Services, LLC to transport Sears Carpet's waste streams to the USOR Site.

2809. The waste streams generated by Kmart and Sears Carpet fall within the definition of "solid waste" under the TSWDA.

2810. By letters dated December 5, 2013 and December 12, 2014, the USOR Site PRP Group notified Sears Carpet and Sears Holdings, respectively, of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Sears Carpet and Sears Holdings the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.



2811. To date, Sears Holdings has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2812. According to USOR Site Records, in at least June 2006, Defendant Semasys, Inc. (“Semasys”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 3,000 gallons of waste containing hazardous substances owned or possessed by Semasys, at the USOR Site.

2813. The waste streams generated by Semasys are described on USOR Site Records as “non-RCRA, non-hazardous, non DOT regulated waste water” and contained some or all of the following hazardous substances: acetone, barium, chromium, copper, dichloroethylene, lead, manganese, methyl ethyl ketone, nickel, perchloroethylene, toluene, trichloroethane, trichloroethylene, xylenes and/or zinc.

2814. On certain occasions, Semasys arranged with transporter CES Environmental Services, Inc. to transport Semasys’ waste streams to the USOR Site.

2815. The waste streams generated by Semasys fall within the definition of “solid waste” under the TSWDA.

2816. By letters dated December 5, 2013 and December 12, 2014, the USOR Site PRP Group notified Semasys of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Semasys the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

2817. To date, Semasys has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site

2818. According to USOR Site Records, Defendant 76 Yale (“76 Yale”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 220 gallons of waste containing hazardous substances owned or possessed by 76 Yale, at the USOR Site.

2819. The waste streams generated by 76 Yale and/or transported to the USOR Site by 76 Yale fall within the definition of “solid waste” under the TSWDA.

2820. By letter dated December 5, 2013, the USOR Site PRP Group notified 76 Yale of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered 76 Yale the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

2821. To date, 76 Yale has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2822. According to USOR Site Records, from at least October to November 2004, Defendant Shawcor Pipe Protection, LLC (“Shawcor Pipe”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 25,000 gallons of waste containing hazardous substances owned or possessed by Shawcor Pipe, at the USOR Site.

2823. The waste streams generated by Shawcor Pipe are described on USOR Site Records as “non hazardous, non regulated waste water” and contained some or all of the following hazardous substances: acetone, benzene, chromium, ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or zinc.

2824. On certain occasions, Shawcor Pipe arranged with transporter Defendant Gator Environmental to transport Shawcor Pipe's waste streams to the USOR Site.

2825. The waste streams generated by Shawcor Pipe fall within the definition of "solid waste" under the TSWDA.

2826. By letters dated December 5, 2013 and December 19, 2014, the USOR Site PRP Group notified Shawcor Pipe of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Shawcor Pipe the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

2827. To date, Shawcor Pipe has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2828. According to USOR Site Records, in at least August 2004, Defendant Sheldon Independent School District ("Sheldon ISD") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 7,020 gallons of waste containing hazardous substances owned or possessed by Sheldon ISD, at the USOR Site.

2829. The waste generated by Sheldon ISD is described on USOR Site Records as "non hazardous non regulated material" and "oily water" and contained some or all of the following hazardous substances: acetone, asbestos, benzene, benzo(a)anthracene, benzo(a)pyrene, cadmium, chromium, cobalt, copper, cresol, dichlorobenzene, dichloroethylene, ethyl benzene, lead, manganese, methylene chloride, methyl ethyl ketone, molybdenum, nickel,

perchloroethylene, phenanthrene, selenium, silver, tin, toluene, trichloroethane, trichloroethylene, vinyl chloride, xylenes and/or zinc.

2830. On certain occasions, Sheldon ISD arranged with transporters Defendant Flan Ex Transportation and Defendant Specialized Maintenance Services, Inc. to transport Sheldon ISD's waste streams to the USOR Site.

2831. The waste streams Sheldon ISD generated, transported to and/or arranged for disposal at the USOR Site fall within the definition of "solid waste" under the TSWDA.

2832. Sheldon ISD entered into a series of tolling agreements with the USOR PRP Group, which tolled all applicable statutes of limitation from August 1, 2014 through the date of this Second Amended Complaint.

2833. To date, Sheldon ISD has refused to cooperate with the USOR Site PRP Group and has not paid its equitable share of response costs incurred by the USOR Site PRP Group at the USOR Site.

2834. According to USOR Site Records, from at least March 2004 to August 2007, Defendant Shell Oil Co. ("Shell") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 178,866 gallons of waste containing hazardous substances owned or possessed by Shell, at the USOR Site.

2835. The waste streams generated by Shell are described on USOR Site Records as "oily water," "oil," "oily water with soap and surfactant," "non-RCRA non-hazardous," "non RCRA non-hazardous (rinse water)," "oily," "recyclable hydrocarbon and water mixture," "non regulated material rinsate [sic] water" and "grit" and contained some or all of the following

hazardous substances: acetone, benzene, chromium, ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or zinc.

2836. On certain occasions, Shell arranged with transporters CES Environmental Services, Inc., Gulf Coast Vacuum, Gulf Coast Transit, Oil Mop, Onyx, SMS, Defendant Specialized Maintenance Services, Inc. and Triple B Industrial Services to transport Shell's waste streams to the USOR Site.

2837. The waste streams generated by Shell fall within the definition of "solid waste" under the TSWDA.

2838. By letter dated December 5, 2013, the USOR Site PRP Group notified Shell of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Shell the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

2839. To date, Shell has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2840. According to USOR Site Records, in at least March 2006, Defendant Shelly Do-Nuts ("Shelly Do-Nuts") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 30 gallons of waste containing hazardous substances owned or possessed by Shelly Do-Nuts, at the USOR Site.

2841. The waste generated by Shelly Do-Nuts is described on USOR Site Records as "grease" and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

2842. On certain occasions, Shelly Do-Nuts arranged with transporter Defendant Public Sanitary Works, Inc. to transport Shelly Do-Nuts' waste streams to the USOR Site.

2843. The waste streams generated by Shelly Do-Nuts fall within the definition of "solid waste" under the TSWDA.

2844. By letter dated September 18, 2015, the USOR Site PRP Group notified Shelly Do-Nuts of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Shelly Do-Nuts the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

2845. To date, Shelly Do-Nuts has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2846. According to USOR Site Records, in at least January 2005, Defendant Shelton Services Inc. ("Shelton Services") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 3,000 gallons of waste containing hazardous substances owned or possessed by Shelton Services, at the USOR Site.

2847. The waste streams generated by Shelton Services are described on USOR Site Records as "oily water-organic" and contained some or all of the following hazardous substances: acetone, benzene, cadmium, chromium, copper, dichloroethylene, ethyl benzene, lead, manganese, methyl ethyl ketone, methylene chloride, nickel, toluene, trichloroethane, trichloroethylene, xylenes and/or zinc.

2848. On certain occasions, Shelton Services arranged with transporter USA Industrial to transport Shelton Services' waste streams to the USOR Site.

2849. The waste streams generated by Shelton Services fall within the definition of “solid waste” under the TSWDA.

2850. To date, Shelton Services has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2851. Alternatively, Defendant J.J. Shelton (“J.J. Shelton”) is responsible for the waste streams attributable to Shelton Services, as alleged in paragraph nos. 2846-2847 above.

2852. To date, J.J. Shelton has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2853. According to USOR Site Records, from at least November 2005 to March 2006, Defendant Shipley Do-Nut Flour & Supply Co., Inc. (“Shipley Do-Nut”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 4,087 gallons of waste containing hazardous substances owned or possessed by Shipley Do-Nut, at the USOR Site.

2854. The waste generated by Shipley Do-Nut is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

2855. On certain occasions, Shipley Do-Nut arranged with transporters Defendant Consolidated Waste, LLC, doing business as Liquid Waste Solutions, and Defendant Public Sanitary Works, Inc. to transport Shipley Do-Nut’s waste streams to the USOR Site.

2856. The waste streams generated by Shipley Do-Nut fall within the definition of “solid waste” under the TSWDA.

2857. By letter dated September 18, 2015, the USOR Site PRP Group notified Shipley Do-Nut of the existence of the release or threatened release of hazardous substances at the USOR

Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Shipley Do-Nut the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

2858. To date, Shipley Do-Nut has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2859. According to USOR Site Records, in at least January 2006, Defendant Shire, Inc. doing business as Hobbit Café ("Hobbit Café") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 1,000 gallons of waste containing hazardous substances owned or possessed by Hobbit Café, at the USOR Site.

2860. The waste generated by Hobbit Café is described on USOR Site Records as "grease" and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

2861. On certain occasions, Hobbit Café arranged with transporter Defendant Consolidated Waste, LLC, doing business as Liquid Waste Solutions, to transport Hobbit Café's waste streams to the USOR Site.

2862. The waste streams generated by Hobbit Café fall within the definition of "solid waste" under the TSWDA.

2863. By letter dated August 25, 2015, the USOR Site PRP Group notified Hobbit Café of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Hobbit Café the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.



2864. To date, Hobbit Café has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2865. According to USOR Site Records, in at least December 2005, Defendant Shyama Enterprises, Inc. doing business as Flagship Auto/Truck Stop (“Shyama Enterprises”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 750 gallons of waste containing hazardous substances owned or possessed by Shyama Enterprises, at the USOR Site.

2866. The waste generated by Shyama Enterprises is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

2867. On certain occasions, Shyama Enterprises arranged with transporter A-Affordable Vacuum Service to transport Shyama Enterprises’ waste streams to the USOR Site.

2868. The waste streams generated by Shyama Enterprises fall within the definition of “solid waste” under the TSWDA.

2869. By letter dated September 25, 2015, the USOR Site PRP Group notified Shyama Enterprises of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Shyama Enterprises the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

2870. To date, Shyama Enterprises has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2871. According to USOR Site Records, in at least March 2006, Defendant Silverado Senior Living, Inc. (“Silverado”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 1,000 gallons of waste containing hazardous substances owned or possessed by Silverado, at the USOR Site.

2872. The waste generated by Silverado is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

2873. On certain occasions, Silverado arranged with transporter Earth America to transport Silverado’s waste streams to the USOR Site.

2874. The waste streams generated by Silverado fall within the definition of “solid waste” under the TSWDA.

2875. By letter dated September 25, 2015, the USOR Site PRP Group notified Silverado of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Silverado the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

2876. To date, Silverado has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2877. According to USOR Site Records, from at least October 2004 to April 2007, Defendant Smith Systems Transportation, Inc. (“Smith Systems Transportation”) accepted at least 135,981 gallons of waste containing hazardous substances for transport to the USOR Site, which was selected by Smith Systems.

2878. The waste streams transported by Smith Systems Transportation are described on USOR Site Records as “non-regulated waste water,” “non DOT regulated material (rain water)” and “non-RCRA non-hazardous (soil and water)” and contained some or all of the following hazardous substances: acetone, arsenic, benzene, cadmium, chromium, copper, ethyl benzene, lead, manganese, mercury, methyl ethyl ketone, methylene chloride, nickel, toluene, trichloroethane, trichloroethylene, xylenes and/or zinc.

2879. The waste streams transported by Smith Systems Transportation were also RCRA hazardous waste described on USOR Site Records as “RQ waste corrosive liquids, flammable, NOS, (contains magnesium chloride & heptane) 8 UN 2920, PGII” and “RQ, waste corrosive liquids, flammable, NOS (contains Potassium Hydride & Heptane), 8 UN2920, PGII.”

2880. The waste streams Smith Systems Transportation transported to the USOR Site were generated by Akzo Nobel, Delta Centrifugal, LLC, Schlumberger Tech and Defendant Texas A&M University.

2881. The waste streams transported to the USOR Site by Smith Systems Transportation fall within the definition of “solid waste” under the TSWDA.

2882. By letter dated October 30, 2015, the USOR Site PRP Group notified Smith Systems Transportation of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Smith Systems Transportation the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

2883. To date, Smith Systems Transportation has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2884. According to USOR Site Records, from at least November 2003 to September 2006, Defendant South Atlantic Services, Inc. (“South Atlantic Services”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 37,278 gallons of waste containing hazardous substances owned or possessed by South Atlantic Services, at the USOR Site.

2885. The waste streams generated by South Atlantic Services are described on USOR Site Records as “non-hazardous, non-regulated liquid (windshield washer fluid),” “non-hazardous, non-regulated liquid (waste water and coolant)” and “non-hazardous, non-regulated liquid (water w/ glycol)” and contained some or all of the following hazardous substances: acetone, benzene, chromium, ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or zinc.

2886. On certain occasions, South Atlantic Services arranged with transporters Garner Environmental and Prowaste Transporter to transport South Atlantic Services’ waste streams to the USOR Site.

2887. The waste streams generated by South Atlantic Services fall within the definition of “solid waste” under the TSWDA.

2888. By letters dated December 5, 2013 and February 27, 2015, the USOR Site PRP Group notified South Atlantic Services of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site;

and offered South Atlantic Services the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

2889. To date, South Atlantic Services has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2890. According to USOR Site Records, in at least April 2005, Defendant South Beach Pools, LLC ("South Beach Pools") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 800 gallons of waste containing hazardous substances owned or possessed by South Beach Pools, at the USOR Site.

2891. The waste streams generated by South Beach Pools fall within the definition of "solid waste" under TSWDA.

2892. By letter dated September 18, 2015, the USOR Site PRP Group notified South Beach Pools of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered South Beach Pools the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

2893. To date, South Beach Pools has refused to cooperate with the USOR Site PRP Group and not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2894. According to USOR Site Records, in at least October 2006 to February 2008, Defendant Southern Core Supply, Inc. ("Southern Core Supply") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for

disposal or treatment, at least 62,600 gallons of waste containing hazardous substances owned or possessed by Southern Core Supply, at the USOR Site.

2895. The waste streams generated by Southern Core Supply are described on USOR Site Records as “oily water” and “oily waste water” and contains some or all of the following hazardous substances: acetone, benzene, chromium, copper, dichlorobenzene, dichloroethylene, lead, manganese, methyl ethyl ketone, methylene chloride, nickel, perchloroethylene, toluene, trichloroethane, trichloroethylene, xylenes and/or zinc.

2896. The waste streams generated by Southern Core Supply fall within the definition of “solid waste” under the TSWDA.

2897. By letters dated December 5, 2013 and February 27, 2015, the USOR Site PRP Group notified Southern Core Supply of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Southern Core Supply the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

2898. To date, Southern Core Supply has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2899. According to USOR Site Records, from at least October 2003 to March 2006, Defendant Southern Discount Vacuum Service (“Southern Discount Vacuum”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment of waste owned or possessed by Southern Discount Vacuum,

at least 139,170 gallons of waste containing hazardous substances owned or possessed by Southern Discount, at the USOR Site.

2900. The waste streams Southern Discount Vacuum generated, transported and/or arranged for disposal are described on USOR Site Records as “disposal grit,” “grit,” “grease,” “grease trap,” “grit trap” and “lint” and contained some or all of the following hazardous substances: acetone, benzene, chromium, ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or zinc.

2901. On certain occasions, Southern Discount Vacuum transported its own waste streams to the USOR Site.

2902. On other occasions, Southern Discount Vacuum transported and/or arranged for disposal of waste streams generated by either Southern Discount Vacuum and/or 4 Corners BBQ, Antoin's Grill, Arby's, Big Daddy's Barbeque, Char Burger, China Ko, China Wk, Cilintion, Cougar, Donut Time, East Star Buffet, Elimperial Mexican Restaurant, Famous BBQ, Gabachos, Gorditas, H & J Meat Market, IHOP, Ideal of Houston, Jeff Haas Masda, La Parmigiana, La Tarraza Mer, Los Rosas, Marcos, Meat Mkt, Mi Tierra, Ms Walker, Peggys Supermarket, Pho King, Pollo, Richards Cajun, Sam's Boat, Sister's Corner Café, Steamboat, Steamboat Bills, Summart, Taqueria, Teldopan, Teloloapan Meat Market, Texas Cajun and Wings and Things.

2903. The waste streams Southern Discount Vacuum generated, transported to and/or arranged for disposal at the USOR Site fall within the definition of “solid waste” under the TSWDA.

2904. By letter dated December 5, 2013, the USOR Site PRP Group notified Southern Discount of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or

threatened release of hazardous substances at the USOR Site; and offered Southern Discount the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

2905. To date, Southern Discount has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2906. According to USOR Site Records, in at least September 2005, Defendant Southern Technologies Services ("Southern Technologies Services") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 500 gallons of waste containing hazardous substances owned or possessed by Southern Technologies Services, at the USOR Site.

2907. The waste streams generated by Southern Technologies Services are described on USOR Site Records as "oily water" and contained some or all of the following hazardous substances: acetone, benzene, chromium, ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or zinc.

2908. On certain occasions, Southern Technologies Services arranged with transporter Gulf Coast Vac to transport Southern Technologies Services' waste streams to the USOR Site.

2909. The waste streams generated by Southern Technologies Services fall within the definition of "solid waste" under the TSWDA.

2910. By letter dated November 21, 2014, the USOR Site PRP Group notified Southern Technologies Services of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered



Southern Technologies Services the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

2911. To date, Southern Technologies Services has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2912. Alternatively, Defendant Allrig Inc. ("Allrig") is the successor to Southern Technologies Services and is responsible for the waste streams attributable to Southern Technologies Services, as alleged in paragraph nos. 2906-2907 above.

2913. In or about 2006, Southern Technologies Services was merged with and into ESI Energy Services International, Inc. ("ESI Energy").

2914. In or about May 2015, ESI Energy's name was amended to Allrig.

2915. By letter dated September 21, 2015, the USOR Site PRP Group notified Allrig of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Allrig the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

2916. To date, Allrig has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2917. Alternatively, Defendant Southern Technologies Inc. ("Southern Technologies Inc.") is responsible for the waste streams attributable to Southern Technologies Services, as alleged in paragraph nos. 2906-2907 above.

2918. To date, Southern Technologies Inc. has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2919. Defendant SouthWaste Disposal, LLC (“SouthWaste Disposal”) is the successor to EarthAmerica, LLC (“Earth America”).

2920. In or about 2007, SouthWaste Disposal acquired Earth America.

2921. According to USOR Site Records, from at least October 2003 to March 2006, Earth America accepted for transport to the USOR Site, which was selected by Earth America, and/or by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment of waste owned or possessed by Earth America, at least 1,232,177 gallons of waste containing hazardous substances at the USOR Site.

2922. The waste streams Earth America generated, transported and/or arranged for disposal are described on USOR Site Records as “oil,” “oily water,” “grease,” “grit,” “grease trap,” “grit trap,” “lint,” “lint trap” and “organic” and contained some or all of the following hazardous substances: acetone, benzene, chromium, ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or zinc.

2923. On certain occasions, Earth America transported its own waste streams to the USOR Site.

2924. On other occasions, Earth America accepted for transportation to the USOR Site waste streams generated by Aramco, Barbours, Baywood Country, Bei Jing, BJ Brewerhouse, Burke Rd Childrens, Chick-Fil-A, Chilis, Chuys, City of Conroe, Colonial House, Groce Co., Gulf Greyhound Park, Gulf Health, Harris County Jail, Hilton Town App, Houston Women’s Area Center, Jason’s Deli, Johnny Corinos, Kinred, Kirby’s Steakhouse, Laundry Vida, McDonalds, Mexico Lindo, Monument Inn, Nations Rent, Olive Garden, Ostinoneria Vallarta, Panera Bread, Pointe, Red Lobster, Resnrrection [sic], Ruch’s, Ryan’s, Salvation Army, Sambuca, Silverado, Sonic, Souper Salad, St. John’s, Strack Farms, TGI Friday’s, U of H,

Universal Maritime Services, UTMB, Wal-Mart Stores, Inc., Wendy's Car Wash, LLC and Wild Wings.

2925. The waste streams generated by Earth America and/or accepted for transport to the USOR Site by Earth America falls within the definition of "solid waste" under the TSWDA.

2926. Additionally, SouthWaste Disposal is the successor to The Groce Co., Inc. ("Groce").

2927. In or about 2006, SouthWaste Disposal acquired Groce.

2928. According to USOR Site Records, in at least September 2005, Groce by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 18,000 gallons of waste containing hazardous substances owned or possessed by Groce, at the USOR Site.

2929. The waste streams generated by Groce are described on USOR Site Records as "oily water" and contained some or all of the following hazardous substances: acetone, benzene, chromium, ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or zinc.

2930. Groce arranged with transporter Defendant El Regio Vacuum Service to transport Groce's waste streams to the USOR Site.

2931. The waste streams generated by Groce fall within the definition of "solid waste" under the TSWDA.

2932. By letters dated December 5, 2013 and April 24, 2015, the USOR Site PRP Group notified Earth America and Groce; and SouthWaste Disposal, respectively, of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous

substances at the USOR Site; and offered Earth America and Groce, respectively, the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

2933. To date, SouthWaste Disposal has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2934. According to USOR Site Records, in at least March 2006, Defendant Southwest LTC-Gulf Healthcare, Ltd. doing business as Gulf Healthcare Center ("Gulf Healthcare") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 1,000 gallons of waste containing hazardous substances owned or possessed by Gulf Healthcare, at the USOR Site.

2935. The waste generated by Gulf Healthcare is described on USOR Site Records as "grease" and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

2936. On certain occasions, Gulf Healthcare arranged with transporter Earth America to transport Gulf Healthcare's waste streams to the USOR Site.

2937. The waste streams generated by Gulf Healthcare fall within the definition of "solid waste" under the TSWDA.

2938. By letter dated September 25, 2015, the USOR Site PRP Group notified Gulf Healthcare of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Gulf Healthcare the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

2939. To date, Gulf Healthcare has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2940. According to USOR Site Records, in at least November 2005, Defendant Spaghetti Warehouse Restaurants, Inc. (“Spaghetti Warehouse”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 500 gallons of waste containing hazardous substances owned or possessed by Spaghetti Warehouse, at the USOR Site.

2941. The waste generated by Spaghetti Warehouse is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

2942. On certain occasions, Spaghetti Warehouse arranged with transporter Defendant Consolidated Waste, LLC, doing business as Liquid Waste Solutions, to transport Spaghetti Warehouse’s waste streams to the USOR Site.

2943. The waste streams generated by Spaghetti Warehouse fall within the definition of “solid waste” under the TSWDA.

2944. By letter dated November 23, 2015, the USOR Site PRP Group notified Spaghetti Warehouse of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Spaghetti Warehouse the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

2945. To date, Spaghetti Warehouse has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2946. According to USOR Site Records, in at least December 2005, Defendant Spareribs, Inc. doing business as Pizzitola's Bar-B-Que ("Spareribs") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 200 gallons of waste containing hazardous substances owned or possessed by Spareribs, at the USOR Site.

2947. The waste generated by Spareribs is described on USOR Site Records as "grease" and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

2948. On certain occasions, Spareribs arranged with transporter Defendant Consolidated Waste, LLC, doing business as Liquid Waste Solutions, to transport Spareribs' waste streams to the USOR Site.

2949. The waste streams generated by Spareribs fall within the definition of "solid waste" under the TSWDA.

2950. By letter dated September 18, 2015, the USOR Site PRP Group notified Spareribs of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Spareribs the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

2951. To date, Spareribs has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2952. According to USOR Site Records, in at least April 2004, Defendant Sparkler Filters, Inc. ("Sparkler Filters") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 3,000

gallons of waste containing hazardous substances owned or possessed by Sparkler Filters, at the USOR Site.

2953. The waste streams generated by Sparkler Filters are described on USOR Site Records as “organic” and “non-hazardous/ non-RCRA waste water” and contained some or all of the following hazardous substances: acetone, benzene, chromium, copper, dichlorobenzene, dichloroethylene, lead, manganese, methyl ethyl ketone, methylene chloride, nickel, perchloroethylene, toluene, trichloroethane, trichloroethylene, xylenes and/or zinc.

2954. On certain occasions, Sparkler Filters arranged with transporter Envirogistics, LP to transport Sparkler Filters’ waste streams to the USOR Site.

2955. The waste streams generated by Sparkler Filters fall within the definition of “solid waste” under the TSWDA.

2956. By letters dated December 5, 2013 and December 12, 2014, the USOR Site PRP Group notified Sparkler Filters of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Sparkler Filters the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

2957. To date, Sparkler Filters has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2958. According to USOR Site Records, from at least December 2004 to February 2007, Defendant Specialized Maintenance Services, Inc. (“Specialized Maintenance”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment of waste owned or possessed by Specialized Maintenance, at

least 300,170 gallons of waste containing hazardous substances owned or possessed by Specialized Maintenance, at the USOR Site.

2959. The waste streams Specialized Maintenance generated, transported and/or arranged for disposal are described on USOR Site Records as “wash water,” “neutralized sulfmaic [sic] acid,” “sludge and water,” “oil and water,” “sand from elevator recyclable oil,” “oil,” “water,” “recyclable oil,” “hydraulic oil,” “mill sand,” “oily,” “organic,” “municipal,” “drilling mud,” “non-RCRA non-hazardous wastewater,” “non-DOT regulated material (solid oilfield chemicals)” and “oily water sump sludge” and contained some or all of the following hazardous substances: acetone, barium, benzene, chromium, copper, ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, trichloroethylene, xylenes and/or zinc.

2960. On certain occasions, Specialized Maintenance transported its own waste streams to the USOR Site.

2961. On other occasions, Specialized Maintenance transported and/or arranged for disposal of waste streams generated by either Specialized Maintenance and/or Advent Group Corp., Bank One, Defendant Boxer Property Management Corp., CE King High School, Commodore Hotel, Doctor Center, El Paso Field Services, First National Bank, Forged Components, Freeport Police Station, Garlock Metallic, Gerday Ameristeel, Defendant Grand Parkway Doctor Center, Defendant The Houston Housing Authority, Jacob’s Engineering, Kennedy Wilson, Kirby Place Apartments, Kone Elevator, Lamarque High School, Defendant Latipac Commercial, Inc., Lord & Taylor, Lodge at Walden, Macgregor Apartments, Metro Bank, Motel 6, North Brook High School, North Star Steel, Park IV Apartments, Parkwood, SBC, Schlumberger, St. Elizabeth Hospital, St. Luke’s, St. Thomas University, Sterling Bank, Teadit, Terrace @ Willowbrook, Defendant Texas Couplings, L.P., Defendant Texas Department



of Transportation, Texas Medical Center, Defendant Texas Southern University, Thyssen Krupp, Triple Met Properties, Defendant University of Houston, Verizon Wireless and YWCA.

2962. The waste streams Specialized Maintenance generated, transported to and/or arranged for disposal at the USOR Site fall within the definition of “solid waste” under the TSWDA

2963. By letters dated December 5, 2013 and April 24, 2015, the USOR Site PRP Group notified Specialized Maintenance of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Specialized Maintenance the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

2964. To date, Specialized Maintenance has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2965. According to USOR Site Records, from at least September 2006 to December 2007, Defendant Specialized Waste Systems, Inc. (“Specialized Waste”) accepted at least 434,933 gallons of waste containing hazardous substances for transport to the USOR Site, which was selected by Specialized Waste.

2966. The waste streams transported by Specialized Waste are described on USOR Site Records as “non-hazardous non-DOT regulated (non hazardous waste water),” “non hazardous, non regulated material (waste water, class I),” “non hazardous non RCRA (oily water),” “non hazardous non RCRA (oily sump sludge)” and “process waste water” and contained some or all

of the following hazardous substances: acetone, benzene, chromium, ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or zinc.

2967. The waste streams transported by Specialized Waste were also RCRA hazardous waste described on USOR Site Records as “RQ hazardous waste, liquid, nos (contains benzene) 9 NA3082, PG III,” “RQ hazardous waste flammable liquids N.O.S. 3, UN 1993 PG II (isoparaf [sic], aromatic, naphthene) DOO1” and “waste flammable liquid, NOS, 3, UN1993, PG II (isopropanol, aromatic, naphtha).”

2968. The waste streams Specialized Waste transported to the USOR Site were generated by Air Products and Chemicals, Champion Technologies, Delta Tubular, Grant Prideco, Defendant Intra-Services Inc., Metton America Inc., Nucor Vulcraft Group, Oneok Hydrocarbon SW, LLC, Texas Industrial Box Maintenance and Defendant Tri-Star Protector Services Co.

2969. The waste streams transported to the USOR Site by Specialized Waste fall within the definition of “solid waste” under the TSWDA.

2970. To date, Specialized Waste has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2971. According to USOR Site Records, in at least March 2008, Defendant Specialty Metal Finishing, Inc. (“Specialty Metal”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 540 gallons of waste containing hazardous substances owned or possessed by Specialty Metal, at the USOR Site.

2972. The waste streams generated by Specialty Metal were RCRA hazardous waste described on USOR Site Records as “waste corrosive liquid, acidic, inorganic, n.o.s. 8, UN3264, PGIII (sulfuric acid).”

2973. Specialty Metal arranged with transporter Defendant Top Notch Transportation, Inc. to transport Specialty Metal’s waste streams to the USOR Site.

2974. The waste streams generated by Specialty Metal fall within the definition of “solid waste” under the TSWDA.

2975. By letters dated December 5, 2013 and November 21, 2014, the USOR Site PRP Group notified Specialty Metal of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Specialty Metal the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

2976. To date, Specialty Metal has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2977. According to USOR Site Records, in at least December 2005, Defendant Specialty Restaurants Corp. doing business as Brady’s Landing (“Brady’s Landing”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 3,500 gallons of waste containing hazardous substances owned or possessed by Brady’s Landing, at the USOR Site.

2978. The waste generated by Brady’s Landing is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

2979. On certain occasions, Brady's Landing arranged with transporter Defendant Consolidated Waste, LLC, doing business as Liquid Waste Solutions, to transport Brady's Landing's waste streams to the USOR Site.

2980. The waste streams generated by Brady's Landing fall within the definition of "solid waste" under the TSWDA.

2981. By letter dated August 14, 2015, the USOR Site PRP Group notified Brady's Landing of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Brady's Landing the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

2982. To date, Brady's Landing has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2983. According to USOR Site Records, from at least June 2004 to March 2006, Defendant Spring Branch Independent School District ("Spring Branch ISD") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 1,200 gallons of waste containing hazardous substances owned or possessed by Spring Branch ISD, at the USOR Site.

2984. The waste generated by Spring Branch ISD is described on USOR Site Records as "oily water" and contained some or all of the following hazardous substances: acetone, arsenic, benzene, cadmium, chromium, copper, dichloroethylene, lead, mercury, methyl ethyl ketone, methylene chloride, molybdenum, nickel, perchloroethylene, selenium, toluene, trichloroethane, trichloroethylene, vinyl chloride, xylenes and/or zinc.

2985. On certain occasions, Spring Branch ISD arranged with transporter Defendant Specialized Maintenance Services, Inc. to transport Spring Branch ISD's waste streams to the USOR Site.

2986. The waste streams Spring Branch ISD generated, transported to and/or arranged for disposal at the USOR Site fall within the definition of "solid waste" under the TSWDA.

2987. Spring Branch ISD entered into a series of tolling agreements with the USOR PRP Group, which tolled all applicable statutes of limitation from August 1, 2014 through the date of this Second Amended Complaint.

2988. To date, Spring Branch ISD has refused to cooperate with the USOR Site PRP Group and has not paid its equitable share of response costs incurred by the USOR Site PRP Group at the USOR Site.

2989. According to USOR Site Records, in at least February 2006, Defendant Stan Shah Corporation, Inc. doing business as JD's Little Store ("JD's Little Store") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 50 gallons of waste containing hazardous substances owned or possessed by JD's Little Store, at the USOR Site.

2990. The waste generated by JD's Little Store is described on USOR Site Records as "grease" and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

2991. On certain occasions, JD's Little Store arranged with transporter A-Affordable Vacuum Service to transport JD's Little Store's waste streams to the USOR Site.

2992. The waste streams generated by JD's Little Store fall within the definition of "solid waste" under the TSWDA.

2993. By letter dated September 4, 2015, the USOR Site PRP Group notified JD's Little Store of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered JD's Little Store the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

2994. To date, JD's Little Store has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

2995. According to USOR Site Records, in at least October 2008, Defendant The Stanley Group, Inc. doing business as Kwik Kar Lube & Tune on Broadway ("Kwik Kar"), by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 3,600 gallons of waste containing hazardous substances owned or possessed by Kwik Kar, at the USOR Site.

2996. The waste streams generated by Kwik Kar is described on USOR Site Records as "oily water" and contained some or all of the following hazardous substances: acetone, benzene, chromium, ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or zinc.

2997. On certain occasions, Kwik Kar arranged with transporter Defendant Phoenix Pollution Control & Environmental Services, Inc. here to transport Kwik Kar's waste streams to the USOR Site.

2998. The waste streams generated by Kwik Kar fall within the definition of "solid waste" under the TSWDA.

2999. By letters dated December 5, 2013 and October 29, 2015, the USOR Site PRP Group notified Kwik Kar of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Kwik Kar the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

3000. To date, Kwik Kar has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

3001. Defendant Star Texas Truck & Fabrication, Inc. ("Star Texas Truck") is the successor to Pneuvac Transfer Inc. ("Pneuvac").

3002. Pneuvac was also known as UVAC and/or did business as UVAC, Inc. ("UVAC").

3003. UVAC was formed as a corporation in or about June 1996 and amended its name to Star Texas in or about March 2012.

3004. Upon information and belief, UVAC continued the business activities of Pneuvac.

3005. According to USOR Site Records, from at least February 2005 to June 2006, Pneuvac by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 99,327 gallons of waste containing hazardous substances owned or possessed by Pneuvac, at the USOR Site.

3006. The waste streams Pneuvac transported and/or arranged for disposal are described on USOR Site Records as "oily water," and "oily bilge waste and water," "oil," "non-hazardous oily water emulsion," and contained some or all of the following hazardous substances: acetone,

benzene, chromium, ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or zinc.

3007. On occasions, Pneuvac transported and/or arranged for disposal of waste streams generated by Glendale Boat Works, Inc. and Koch Hydrocarbon Southwest, LLC.

3008. The waste streams Pneuvac generated, transported to and/or arranged for disposal at the USOR Site fall within the definition of “solid waste” under the TSWDA.

3009. By letters dated December 5, 2013 and December 19, 2014, the USOR Site PRP Group notified Pneuvac and Star Texas Truck, respectively, of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Pneuvac and Star Texas Truck the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

3010. To date, Star Texas Truck has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

3011. According to USOR Site Records, from at least November 2005 to March 2006, Defendant Steamboat Bill’s, Inc. (“Steamboat Bills”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 6,200 gallons of waste containing hazardous substances owned or possessed by Steamboat Bills, at the USOR Site.

3012. The waste generated by Steamboat Bills is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.



3013. On certain occasions, Steamboat Bills arranged with transporter Defendant Southern Discount Vacuum Service to transport Steamboat Bills' waste streams to the USOR Site.

3014. The waste streams generated by Steamboat Bills fall within the definition of "solid waste" under the TSWDA.

3015. By letter dated September 18, 2015, the USOR Site PRP Group notified Steamboat Bills of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Steamboat Bills the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

3016. To date, Steamboat Bills has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

3017. According to USOR Site Records, from at least August 2003 to December 2004, Defendant Stephen F. Austin State University ("Stephen F. Austin") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 14,646 gallons of waste containing hazardous substances owned or possessed by Stephen F. Austin, at the USOR Site.

3018. The waste streams generated by Stephen F. Austin were RCRA hazardous waste described on USOR Site Records as "waste diesel mix w/sorbant [sic]," "waste toxic liquid, inorganic, n.o.s. 6.1, 0N3287, PG III," "waste paint related material, 3, UN1263, PGIII," "waste toxic solids, organic, n.o.s.. 6.1, UN2811, PGIII (methyl bromide)," "RQ waste flammable liquids, toxic, n.o.s. 3, UN1992, PGII (petroleum distillates)," "RQ waste toxic liquid, inorganic, n.o.s. 6.1 UN3287III" and " RQ waste paint related materials 3, UN1263, PGIII."

3019. The waste streams generated by Stephen F. Austin were also described on USOR Site Records as “oily water” and “ non-RCRA non-hazardous solid (broken glass) and contained some or all of the following hazardous substances: acetone, arsenic, cadmium, chromium, copper, dichloroethylene, lead, methyl ethyl ketone, methylene chloride, nickel, toluene, trichloroethane, trichloroethylene and/or zinc.

3020. On certain occasions, Stephen F. Austin arranged with transporter Ensource Corporation to transport Stephen F. Austin’s waste streams to the USOR Site.

3021. The waste streams generated by Stephen F. Austin fall within the definition of “solid waste” under the TSWDA.

3022. By letter dated December 5, 2013, the USOR Site PRP Group notified Stephen F. Austin of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Stephen F. Austin the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

3023. To date, Stephen F. Austin has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

3024. According to USOR Site Records, in at least March 2006, Defendant Striping Unlimited Corp. (“Striping Unlimited”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 475 gallons of waste containing hazardous substances owned or possessed by Striping Unlimited, at the USOR Site.

3025. The waste streams generated by Striping Unlimited are described on USOR Site Records as “oily” and contained some or all of the following hazardous substances: benzene, dichloroethylene, perchloroethylene, toluene, trichloroethylene, vinyl chloride and/or xylenes.

3026. On certain occasions, Striping Unlimited arranged with transporter US Oil to transport Striping Unlimited’s waste streams to the USOR Site.

3027. The waste streams generated by Striping Unlimited and/or transported to the USOR Site by Striping Unlimited fall within the definition of “solid waste” under the TSWDA.

3028. By letter dated November 21, 2014, the USOR Site PRP Group notified Striping Unlimited of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Striping Unlimited the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

3029. To date, Striping Unlimited has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

3030. According to USOR Site Records, in at least June 2004, Defendant Sugarland Petroleum, Inc. (“Sugarland Petroleum”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 1,700 gallons of waste containing hazardous substances owned or possessed by Sugar Petroleum, at the USOR Site.

3031. The waste streams generated by Sugarland Petroleum are described on USOR Site Records as “oily water” and contained some or all of the following hazardous substances:

acetone, benzene, chromium, ethyl benzene, xylenes, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane and/or zinc.

3032. On certain occasions, Sugarland Petroleum arranged with transporter Garner to transport Sugarland Petroleum's waste streams to the USOR Site.

3033. The waste streams generated by Sugarland Petroleum fall within the definition of "solid waste" under the TSWDA.

3034. By letter dated December 12, 2014, the USOR Site PRP Group notified Sugarland Petroleum of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Sugarland Petroleum the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

3035. To date, Sugarland Petroleum has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

3036. Defendant Sunbelt Rentals, Inc. ("Sunbelt Rentals") is the successor to NationsRent, Inc. ("NationsRent").

3037. In or about 2007, NationsRent was acquired by and merged into Sunbelt Rentals.

3038. According to USOR Site Records, from at least March 2005 to February 2006, NationsRent by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 1,520 gallons of waste containing hazardous substances owned or possessed by NationsRent, at the USOR Site.

3039. The waste streams generated by NationsRent are described on USOR Site Records as "grit" and contained some or all of the following hazardous substances: acetone,

benzene, chromium, ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or zinc.

3040. On certain occasions, NationsRent arranged with transporter Earth America, LLC to transport NationsRent's waste streams to the USOR Site.

3041. The waste streams generated by NationsRent fall within the definition of "solid waste" under the TSWDA.

3042. By letter dated September 18, 2015, the USOR Site PRP Group notified Sunbelt Rentals of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Sunbelt Rentals the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

3043. To date, Sunbelt Rentals has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

3044. According to USOR Site Records, in at least November 2003, Defendant Sunbelt Steel Texas, Inc. ("Sunbelt Steel Texas") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 3,900 gallons of waste containing hazardous substances owned or possessed by Sunbelt Steel Texas, at the USOR Site.

3045. The waste streams generated by Sunbelt Steel Texas are described on USOR Site Records as "used oil oily water" and contained some or all of the following hazardous substances: acetone, benzene, chromium, copper, dichlorobenzene, dichloroethylene, lead, manganese, methyl ethyl ketone, methylene chloride, nickel, perchloroethylene, toluene, trichloroethane, trichloroethylene, xylenes and/or zinc.

3046. Sunbelt Steel Texas arranged with transporter Defendant Enviro-Vac, Ltd. to transport Sunbelt Steel Texas' waste streams to the USOR Site.

3047. The waste streams generated by Sunbelt Steel Texas fall within the definition of "solid waste" under the TSWDA.

3048. By letters dated December 5, 2013 and December 12, 2014, the USOR Site PRP Group notified Sunbelt Steel Texas of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Sunbelt Steel Texas the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

3049. To date, Sunbelt Steel Texas has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

3050. According to USOR Site Records, from at least September to November 2006, Defendant Suncoast Chemicals, Inc. ("Suncoast Chemicals") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, waste containing hazardous substances owned or possessed by Suncoast Chemicals, at the USOR Site.

3051. The waste streams generated by Suncoast Chemicals are described on USOR Site Records as "oily water" and contained some or all of the following hazardous substances: acetone, benzene, chromium, copper, dichlorobenzene, dichloroethylene, lead methylene chloride, trichloroethane, trichloroethylene and/or zinc.

3052. The waste streams generated by Suncoast Chemicals and/or transported to the USOR Site by Suncoast Chemicals fall within the definition of “solid waste” under the TSWDA.

3053. By letters dated December 5, 2013 and January 23, 2015, the USOR Site PRP Group notified Suncoast Chemicals of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Suncoast Chemicals the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

3054. To date, Suncoast Chemicals has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

3055. According to USOR Site Records, in at least February 2006, Defendant Super Lopez Food Products and Tortilla Factory Inc. (“Super Lopez”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 1,000 gallons of waste containing hazardous substances owned or possessed by Super Lopez, at the USOR Site.

3056. The waste generated by Super Lopez is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

3057. On certain occasions, Super Lopez arranged with transporter Defendant Public Sanitary Works, Inc. to transport Super Lopez’s waste streams to the USOR Site.

3058. The waste streams generated by Super Lopez fall within the definition of “solid waste” under the TSWDA.

3059. By letter dated September 18, 2015, the USOR Site PRP Group notified Super Lopez of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Super Lopez the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

3060. To date, Super Lopez has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

3061. According to USOR Site Records, from at least October 2005 to March 2006, Defendant Swanson Subway ("Swanson Subway") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 5,400 gallons of waste containing hazardous substances owned or possessed by Swanson Subway, at the USOR Site.

3062. The waste generated by Swanson Subway is described on USOR Site Records as "grease" and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

3063. On certain occasions, Swanson Subway arranged with transporters A-Affordable Vacuum Service, Mr. Pumper Sewer Service and Unique Sanitation to transport Swanson Subway's waste streams to the USOR Site.

3064. The waste streams generated by Swanson Subway fall within the definition of "solid waste" under the TSWDA.

3065. By letter dated September 18, 2015, the USOR Site PRP Group notified Swanson Subway of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or



threatened release of hazardous substances at the USOR Site; and offered Swanson Subway the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

3066. To date, Swanson Subway has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

3067. According to USOR Site Records, from at least December 2003 to May 2007, Defendant Syntech Chemicals, Inc. ("Syntech Chemicals") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 2,958,954 gallons of waste containing hazardous substances owned or possessed by Syntech Chemicals, at the USOR Site.

3068. The waste streams generated by Syntech Chemicals are described on USOR Site Records as "organic," "process wastewater" and "storm run off water" and contained some or all of the following hazardous substances: acetone, benzene, chromium, copper, dichlorobenzene, dichloroethylene, ethyl benzene, lead, manganese, methylene chloride, methyl ethyl ketone, nickel, toluene, trichloroethane, trichloroethylene, xylenes and/or zinc.

3069. On certain occasions, Syntech Chemicals transported its own waste streams to the USOR Site.

3070. On other occasions, Syntech Chemicals also arranged with transporters D&S Trucking, Defendant Eagle Construction and Environmental Services, LLC, Defendant El Regio Vacuum Service, Defendant Enviro-Vac, Ltd., Gulf Coast, Defendant HET Environmental and US Oil Recovery to transport Syntech Chemicals' waste streams to the USOR Site.

3071. The waste streams generated by Syntech Chemicals and/or transported to the USOR Site by Syntech Chemicals fall within the definition of "solid waste" under the TSWDA.

3072. By letter dated December 5, 2013, the USOR Site PRP Group notified Syntech Chemicals of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Syntech Chemicals the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

3073. To date, Syntech Chemicals has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

3074. Defendant Sysco Louisiana Seafood LLC doing business as Louisiana Foods Global Seafood Source ("Sysco") is the successor to and/or is formerly known as Louisiana Fine Food Companies, Inc. ("Louisiana Food").

3075. In or about 2012, Louisiana Food was acquired by Sysco Corp., and was subsequently renamed Sysco, which continued the uninterrupted business activities of Louisiana Food.

3076. According to USOR Site Records, in at least February 2006, Louisiana Food by contract, agreement, or otherwise arranged for disposal or treatment and/or arranged with a transporter for transport for disposal or treatment, at least 850 gallons of waste containing hazardous substances owned or possessed by Louisiana Food, at the USOR Site.

3077. The waste generated by Louisiana Food is described on USOR Site Records as "grease" and contained some or all of the following hazardous substances: acetone, arsenic, benzene, cadmium, chromium, copper, dichlorobenzene, dichloroethylene, lead, mercury, methylene chloride, molybdenum, selenium, trichloroethane, trichloroethylene, and/ or zinc.

3078. On certain occasions, Louisiana Food arranged with transporter Defendant Public Sanitary, Inc. to transport Louisiana Food's waste streams to the USOR Site.

3079. The waste streams generated by Louisiana Food fall within the definition of "solid waste" under the TSWDA.

3080. Additionally, Sysco is the successor to Magnolia Bar & Grill, Inc. ("Magnolia").

3081. In or about 1983, Louisiana Food's corporate personnel and/or owners formed Magnolia.

3082. According to USOR Site Records, from at least October 2005 to February 2006, Magnolia by contract, agreement, or otherwise arranged for disposal or treatment and/or arranged with a transporter for transport for disposal or treatment, at least 2,900 gallons of waste containing hazardous substances owned or possessed by Magnolia, at the USOR Site.

3083. The waste generated by Magnolia is described on USOR Site Records as "grease" and contained some or all of the following hazardous substances: acetone, arsenic, benzene, cadmium, chromium, copper, dichlorobenzene, dichloroethylene, lead, mercury, methylene chloride, molybdenum, selenium, trichloroethane, trichloroethylene, and/ or zinc.

3084. On certain occasions, Magnolia arranged with transporter Defendant Public Sanitary Works, Inc. to transport Magnolia's waste streams to the USOR Site.

3085. The waste streams generated by Magnolia fall within the definition of "solid waste" under the TSWDA.

3086. Additionally, Sysco is the successor to North Belt Restaurants, Inc., doing business Jimmy G's Cajun Seafood Restaurant ("Jimmy G's").

3087. In or about 1985, Louisiana Food's corporate personnel and/or owners formed Jimmy G's.

3088. According to USOR Site Records, in at least March 2006, Jimmy G's by contract, agreement, or otherwise arranged for disposal or treatment and/or arranged with a transporter for transport for disposal or treatment, at least 900 gallons of waste containing hazardous substances owned or possessed by Jimmy G's, at the USOR Site.

3089. The waste generated by Jimmy G's is described on USOR Site Records as "grease" and contained some or all of the following hazardous substances: acetone, arsenic, benzene, cadmium, chromium, copper, dichlorobenzene, dichloroethylene, lead, mercury, methylene chloride, molybdenum, selenium, trichloroethane, trichloroethylene, and/ or zinc.

3090. On certain occasions, Jimmy G's arranged with transporter Defendant Public Sanitary Works, Inc. to transport Jimmy G's waste streams to the USOR Site.

3091. The waste streams generated by Jimmy G's fall within the definition of "solid waste" under the TSWDA.

3092. Additionally, according to USOR Site Records, in at least March 2006, Sysco by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 950 gallons of waste containing hazardous substances owned or possessed by Sysco, at the USOR Site.

3093. The waste generated by Sysco is described on USOR Site Records as "grit" and contained some or all of the following hazardous substances: acetone, benzene, chromium, ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or zinc.

3094. On certain occasions, Sysco arranged with transporter A-Affordable to transport Sysco waste streams to the USOR Site.

3095. The waste streams generated by Sysco fall within the definition of "solid waste" under the TSWDA.

3096. By letter dated, September 4, 2015 the USOR Site PRP Group notified Sysco of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Sysco the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

3097. To date, Sysco has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

3098. Alternatively, Defendant Sysco Houston, Inc. formerly known as Sysco Food Services of Houston, LP ("Sysco Houston") is responsible for at least 950 gallons of waste attributable to Sysco, as alleged in paragraph nos. 3092-3093 above.

3099. To date, Sysco Houston has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

3100. According to USOR Site Records, in at least September 2004, Defendant T&L Environmental Services, Inc. ("T&L Environmental") accepted at least 10,080 gallons of waste containing hazardous substances for transport to the USOR Site.

3101. The waste streams transported by T&L Environmental are described on USOR Site Records as "organic" and contained some or all of the following hazardous substances: acetone, benzene, cadmium, chromium, cobalt, copper, dichloroethylene, ethyl benzene, lead, manganese, methyl ethyl ketone, methylene chloride, nickel, perchloroethylene, toluene, trichloroethane, trichloroethylene, xylenes and/or zinc.

3102. The waste streams T&L Environmental transported to the USOR Site were generated by Defendant The University of Texas System.

3103. The waste streams transported to the USOR Site by T&L Environmental fall within the definition of “solid waste” under the TSWDA.

3104. By letter dated December 19, 2014, the USOR Site PRP Group notified T&L Environmental of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site, and offered T&L Environmental the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

3105. To date, T&L Environmental has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

3106. According to USOR Site Records, in at least March 2004, Defendant TAP, Inc. doing business as Big K Environmental (“TAP”), by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 660 gallons of waste containing hazardous substances owned or possessed by TAP, at the USOR Site.

3107. The waste streams TAP arranged for disposal are described on USOR Site Records as “organic” and contained some or all of the following hazardous substances: acetone, benzene, chromium, ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or zinc.

3108. The waste streams TAP arranged for disposal at the USOR Site were generated by PDQ.

3109. The waste streams arranged for disposal at the USOR Site by TAP fall within the definition of “solid waste” under the TSWDA.

3110. By letter dated November 21, 2014, the USOR Site PRP Group notified TAP of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered TAP the opportunity to voluntarily join the USOR Site PRP Group's efforts at the USOR Site.

3111. To date, TAP has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

3112. According to USOR Site Records, in at least February 2006, Defendant TFC Consultants, Inc. doing business as Fu's Garden ("TFC Consultants") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 1,000 gallons of waste containing hazardous substances owned or possessed by TFC Consultants, at the USOR Site.

3113. The waste generated by TFC Consultants is described on USOR Site Records as "grease" and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

3114. On certain occasions, TFC Consultants arranged with transporter Defendant Public Sanitary Works, Inc. to transport TFC Consultants' waste streams to the USOR Site.

3115. The waste streams generated by TFC Consultants fall within the definition of "solid waste" under the TSWDA.

3116. By letter dated August 25, 2015, the USOR Site PRP Group notified TFC Consultants of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or

threatened release of hazardous substances at the USOR Site; and offered TFC Consultants the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

3117. To date, TFC Consultants has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

3118. According to USOR Site Records, in at least December 2004, Defendant TXU Energy Retail Company LLC ("TXU") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 15,600 gallons of waste containing hazardous substances owned or possessed by TXU, at the USOR Site.

3119. The waste streams generated by TXU are described on USOR Site Records as "oily water" and contained some or all of the following hazardous substances: acetone, benzene, chromium, copper, ethyl benzene, lead, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or zinc.

3120. TXU arranged with transporter Defendant Eagle Construction and Environmental Services, LLC to transport TXU's waste streams to the USOR Site.

3121. The waste streams generated by TXU and/or transported to the USOR Site by TXU fall within the definition of "solid waste" under the TSWDA.

3122. By letter dated September 18, 2015, the USOR Site PRP Group notified TXU of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered TXU the opportunity to voluntarily join the USOR Site PRP Group's efforts at the USOR Site.



3123. To date, TXU has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

3124. According to USOR Site Records, in at least October 2005, Defendant TajIndia, Inc. doing business as Taj India Restaurant (“TajIndia”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 900 gallons of waste containing hazardous substances owned or possessed by TajIndia at the USOR Site.

3125. The waste generated by TajIndia is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

3126. On certain occasions, TajIndia arranged with transporter Defendant Public Sanitary Works, Inc. to transport TajIndia’s waste streams to the USOR Site.

3127. The waste streams generated by TajIndia fall within the definition of “solid waste” under the TSWDA.

3128. By letter dated October 30, 2015, the USOR Site PRP Group notified TajIndia of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered TajIndia the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

3129. To date, TajIndia has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

3130. According to USOR Site Records, in at least March 2006, Defendant Taqueria “La Favorita” (“La Favorita”) by contract, agreement, or otherwise arranged for disposal or

treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 300 gallons of waste containing hazardous substances owned or possessed by La Favorita, at the USOR Site.

3131. The waste generated by La Favorita is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

3132. On certain occasions, La Favorita arranged with transporter Defendant Public Sanitary Works, Inc. to transport La Favorita’s waste streams to the USOR Site.

3133. The waste streams generated by La Favorita fall within the definition of “solid waste” under the TSWDA.

3134. By letter dated September 25, 2015, the USOR Site PRP Group notified La Favorita of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered La Favorita the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

3135. To date, La Favorita has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

3136. Alternatively, Defendant Mi Tiempo Corp. doing business as Mi Favorita Meat Market No. 2 and formerly known as La Favorita Meat Market #2 (“Mi Tiempo”) is responsible for the waste streams attributable to La Favorita, as alleged in paragraph nos. 3130-3131 above.

3137. To date, Mi Tiempo has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

3138. According to USOR Site Records, from at least February 2006 to March 2006, Defendant Taqueria Cancun (“Taqueria Cancun”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 1,550 gallons of waste containing hazardous substances owned or possessed by Taqueria Cancun, at the USOR Site.

3139. The waste generated by Taqueria Cancun is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

3140. On certain occasions, Taqueria Cancun arranged with transporter Defendant Public Sanitary Works, Inc. to transport Taqueria Cancun’s waste streams to the USOR Site.

3141. The waste streams generated by Taqueria Cancun fall within the definition of “solid waste” under the TSWDA.

3142. By letter dated October 30, 2015, the USOR Site PRP Group notified Taqueria Cancun of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Taqueria Cancun the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

3143. To date, Taqueria Cancun has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

3144. According to USOR Site Records, in at least December 2005, Defendant Taqueria El Alteno No. 1 Inc. doing business as Taqueria El Alteno (“Taqueria El Alteno”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for

transport for disposal or treatment, at least 2,000 gallons of waste containing hazardous substances owned or possessed by Taqueria El Alteno, at the USOR Site.

3145. The waste generated by Taqueria El Alteno is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

3146. On certain occasions, Taqueria El Alteno arranged with transporter Defendant Consolidated Waste, LLC, doing business as Liquid Waste Solutions, to transport Taqueria El Alteno’s waste streams to the USOR Site.

3147. The waste streams generated by Taqueria El Alteno fall within the definition of “solid waste” under the TSWDA.

3148. By letter dated September 25, 2015, the USOR Site PRP Group notified Taqueria El Alteno of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Taqueria El Alteno the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

3149. To date, Taqueria El Alteno has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

3150. According to USOR Site Records, in at least March 2006, Defendant Taqueria El Jimador (“El Jimador”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 500 gallons of waste containing hazardous substances owned or possessed by El Jimador, at the USOR Site.

3151. The waste generated by El Jimador is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

3152. On certain occasions, El Jimador arranged with transporter A-Affordable Vacuum Service to transport El Jimador’s waste streams to the USOR Site.

3153. The waste streams generated by El Jimador fall within the definition of “solid waste” under the TSWDA.

3154. By letter dated August 25, 2015, the USOR Site PRP Group notified El Jimador of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered El Jimador the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

3155. To date, El Jimador has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

3156. According to USOR Site Records, in at least February 2006, Defendant Taqueria El Sol Jalisco (“Taqueria Jalisco”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 750 gallons of waste containing hazardous substances owned or possessed by Taqueria Jalisco, at the USOR Site.

3157. The waste generated by Taqueria Jalisco is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

3158. On certain occasions, Taqueria Jalisco arranged with transporter A-Affordable Vacuum Service to transport Taqueria Jalisco's waste streams to the USOR Site.

3159. The waste streams generated by Taqueria Jalisco fall within the definition of "solid waste" under the TSWDA.

3160. By letter dated October 30, 2015, the USOR Site PRP Group notified Taqueria Jalisco of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Taqueria Jalisco the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

3161. To date, Taqueria Jalisco has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

3162. According to USOR Site Records, in at least October 2005, Defendant Taqueria Las Llardas Mexican Restaurant, Inc. ("Taqueria Las Llardas") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 1,000 gallons of waste containing hazardous substances owned or possessed by Taqueria Las Llardas, at the USOR Site.

3163. The waste generated by Taqueria Las Llardas is described on USOR Site Records as "grease" and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

3164. On certain occasions, Taqueria Las Llardas arranged with transporter Defendant Consolidated Waste, LLC, doing business as Liquid Waste Solutions, to transport Taqueria Las Llardas' waste streams to the USOR Site.

3165. The waste streams generated by Taqueria Las Llardas fall within the definition of “solid waste” under the TSWDA.

3166. By letter dated September 4, 2015, the USOR Site PRP Group notified Taqueria Las Llardas of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Taqueria Las Llardas the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

3167. To date, Taqueria Las Llardas has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

3168. According to USOR Site Records, in at least January 2006, Defendant Taquerias Los Charros, Inc. (“Taquerias Los Charros”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 400 gallons of waste containing hazardous substances owned or possessed by Taquerias Los Charros, at the USOR Site.

3169. The waste generated by Taquerias Los Charros is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

3170. On certain occasions, Taquerias Los Charros arranged with transporter A-Affordable Vacuum Service to transport Taquerias Los Charros’ waste streams to the USOR Site.

3171. The waste streams generated by Taquerias Los Charros fall within the definition of “solid waste” under the TSWDA.

3172. By letter dated September 4, 2015, the USOR Site PRP Group notified Taquerias Los Charros of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Taquerias Los Charros the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

3173. To date, Taquerias Los Charros has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

3174. According to USOR Site Records, from at least October 2007 to December 2008, Defendant Taylor Press Products Co. ("Taylor Press") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 71,000 gallons of waste containing hazardous substances owned or possessed by Taylor Press, at the USOR Site.

3175. The waste streams generated by Taylor Press are described on USOR Site Records as "non hazardous waste water" and "non regulated material" and contained some or all of the following hazardous substances: acetone, benzene, chromium, copper, dichlorobenzene, dichloroethylene, lead, manganese, methylene chloride, methyl ethyl ketone, nickel, perchloroethylene, toluene, trichloroethane, trichloroethylene, xylenes and/or zinc.

3176. Taylor Press arranged with transporter Defendant Triad Transport, Inc. to transport Taylor Press' waste streams to the USOR Site.

3177. The waste streams generated by Taylor Press and/or transported to the USOR Site by Taylor Press fall within the definition of "solid waste" under the TSWDA.



3178. By letters dated December 5, 2013 and February 27, 2015, the USOR Site PRP Group notified Taylor Press of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Taylor Press the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

3179. To date, Taylor Press has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

3180. According to USOR Site Records, from at least October 2005 to February 2006, Defendant Tecate CC Town, LLC doing business as Tecate Mexican Restaurant & Cantina ("Tecate CC") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 4,800 gallons of waste containing hazardous substances owned or possessed by Tecate CC, at the USOR Site.

3181. The waste generated by Tecate CC is described on USOR Site Records as "grease" and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

3182. On certain occasions, Tecate CC arranged with transporters Affordable Vacuum Service and Defendant Consolidated Waste, LLC, doing business as Liquid Waste Solutions, to transport Tecate CC's waste streams to the USOR Site.

3183. The waste streams generated by Tecate CC fall within the definition of "solid waste" under the TSWDA.

3184. By letter dated September 18, 2015, the USOR Site PRP Group notified Tecate CC of the existence of the release or threatened release of hazardous substances at the USOR

Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Tecate CC the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

3185. To date, Tecate CC has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

3186. According to USOR Site Records, from at least November 2005 to January 2006, Defendant Teloloapan Meat Markets, Inc. ("Teloloapan Meat") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 2,700 gallons of waste containing hazardous substances owned or possessed by Teloloapan Meat, at the USOR Site.

3187. The waste generated by Teloloapan Meat is described on USOR Site Records as "grease" and contained some or all of the following hazardous substances: acetone, arsenic, benzene, cadmium, chromium, copper, dichlorobenzene, dichloroethylene, lead, mercury, methylene chloride, molybdenum, nickel, selenium, trichloroethane, trichloroethylene and/or zinc.

3188. On certain occasions, Teloloapan Meat arranged with transporter Defendant Southern Discount Vacuum Service to transport Teloloapan Meat's waste streams to the USOR Site.

3189. The waste streams generated by Teloloapan Meat fall within the definition of "solid waste" under the TSWDA.

3190. By letter dated September 18, 2015, the USOR Site PRP Group notified Teloloapan Meat of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the

release or threatened release of hazardous substances at the USOR Site; and offered Teloloapan Meat the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

3191. To date, Teloloapan Meat has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

3192. Defendant Tenaris Coiled Tubes LLC ("Tenaris Coiled") is the successor to Precision Tube Technology, LP ("Precision Tube").

3193. In or about June 2007, Precision Tube was merged with and into Tenaris Coiled.

3194. According to USOR Site Records, from at least August 2004 to May 2006, Precision Tube by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 98,232 gallons of waste containing hazardous substances owned or possessed by Precision Tube, at the USOR Site.

3195. The waste streams generated by Precision Tube are described on USOR Site Records as "non-RCRA/non DOT regulated rinse water," "non-RCRA/non DOT regulated waste sludge," "oily water," "organic" and "recyclable hydrocarbon and water mixture" and contained some or all of the following hazardous substances: acetone, benzene, chromium, copper, dichlorobenzene, dichloroethylene, lead, manganese, methylene chloride, methyl ethyl ketone, nickel, perchloroethylene, toluene, trichloroethane, trichloroethylene, xylenes and/or zinc.

3196. On certain occasions, Precision Tube arranged with transporter CES Environmental Service, Inc. to transport Precision Tube's waste streams to the USOR Site.

3197. The waste streams generated by Precision Tube and/or transported to the USOR Site by Precision Tube fall within the definition of "solid waste" under the TSWDA.

3198. By letters dated December 5, 2013 and June 2, 2015, the USOR Site PRP Group notified Precision Tube and Tenaris Coiled of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Precision Tube and Tenaris Coiled the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

3199. To date, Tenaris Coiled has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

3200. According to USOR Site Records, from at least January 2004 to September 2007, Defendant Teodoro Hinojosa, Inc. doing business as HET Environmental ("HET Environmental") accepted for transport to the USOR Site, which was selected by HET Environmental, and/or by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment of waste owned or possessed by HET Environmental, at least 7,607,681 gallons of waste containing hazardous substances at the USOR Site.

3201. The waste streams HET Environmental generated, transported and/or arranged for disposal are described on USOR Site Records as "non DOT regulated material (drilling mud)," "non hazardous waste (spent coolant)," "non regulated non hazardous plant waste water (CLOW)" and "non regulated non hazardous waste water (boiler water) and contained some or all of the following hazardous substances: acetone, benzene, chromium, copper, dichlorobenzene, dichloroethylene, ethyl benzene, lead, manganese, methylene chloride, methyl ethyl ketone, nickel, perchloroethylene, toluene, trichloroethane, trichloroethylene, xylenes and/or zinc.

3202. The waste streams HET Environmental generated, transported and/or arranged for disposal were also RCRA hazardous waste described on USOR Site Records as “hazardous waste, liquid, n.o.s. (D006) 9, NA 3082, PG III,” “sodium hydroxide solution 8 PG II UN 1824 (corrosive)” and “RQ waste corrosive liquids, N.O.S. (sodium hydroxide) UN 1760 PG II EGR 154.”

3203. On certain occasions, HET Environmental transported its own waste streams to the USOR Site.

3204. On other occasions, HET Environmental transported and/or arranged for disposal of waste streams generated by either HET Environmental and/or Blentech, Cameron Drilling, Champion Technologies, Crown Cork & Seal, Day International, Dragon Products, Drew Chemical, Defendant Enviro Clean, Defendant Farouk Systems, Inc., GE Betz, Defendant J.L. Proler Iron & Steel Co., Louisiana Pacific, MEMC Pasadena, Nalco Energy, R&M Energy Systems, Schlumberger, Stolt, Texas Barge & Boat, Inc., Trifeta and Tuboscope.

3205. The waste streams arranged for disposal at the USOR Site by HET Environmental fall within the definition of “solid waste” under the TSWDA.

3206. By letter dated December 5, 2013, the USOR Site PRP Group notified HET Environmental of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered HET Environmental the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

3207. To date, HET Environmental has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

3208. According to USOR Site Records, from at least June 2004 to October 2008, Defendant Tex-Tube Co. (“Tex-Tube”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 310,022 gallons of waste containing hazardous substances owned or possessed by Tex-Tube, at the USOR Site.

3209. The waste streams generated by Tex-Tube are described on USOR Site Records as “oily water” and contained some or all of the following hazardous substances: acetone, benzene, chromium, copper, dichlorobenzene, dichloroethylene, lead, manganese, methylene chloride, methyl ethyl ketone, nickel, perchloroethylene, toluene, trichloroethane, trichloroethylene, xylenes and/or zinc.

3210. On certain occasions, Tex-Tube arranged with transporters Defendant Anderson Pollution Control, Inc., Defendant Alliance Pastex, LLC, GCR and K-3/BMI to transport Tex-Tube’s waste streams to the USOR Site.

3211. The waste streams generated by Tex-Tube and/or transported to the USOR Site by Tex-Tube fall within the definition of “solid waste” under the TSWDA.

3212. By letters dated December 5, 2013 and April 24, 2015, the USOR Site PRP Group notified Tex-Tube of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Tex-Tube the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

3213. To date, Tex-Tube has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

3214. According to USOR Site Records, from at least June 2005 to January 2007, Defendant Texaco Inc. (“Texaco”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 21,550 gallons of waste containing hazardous substances owned or possessed by Texaco, at the USOR Site.

3215. The waste generated by Texaco is described on USOR Site Records as “grit,” “organic,” “oily sludge” and “oily water” and contained some or all of the following hazardous substances: acetone, benzene, chromium, ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or zinc.

3216. On certain occasions, Texaco arranged with transporters Gulf Coast Vacuum Service, Inc., A-Affordable Vacuum Service and U.S. Oil & Recovery to transport Texaco’s waste streams to the USOR Site.

3217. The waste streams Texaco generated, transported to and/or arranged for disposal at the USOR Site fall within the definition of “solid waste” under the TSWDA.

3218. Texaco entered into a series of tolling agreements with the USOR PRP Group, which tolled all applicable statutes of limitation from August 1, 2014 through the date of this Second Amended Complaint.

3219. To date, Texaco has refused to cooperate with the USOR Site PRP Group and has not paid its equitable share of response costs incurred by the USOR Site PRP Group at the USOR Site.

3220. According to USOR Site Records, from at least February 2004 to June 2006, Defendant Texas A&M University (“Texas A&M”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or

treatment, at least 254,413 gallons of waste containing hazardous substances owned or possessed by Texas A&M, at the USOR Site.

3221. The waste streams generated by Texas A&M are described on USOR Site Records as “non-RCRQ, non-hazardous (chiller water w/molbate),” “non-hazardous non-RCRA (latex paint & water),” “non hazardous non-RCRA (petroleum contaminated oil/water),” “non-RCRA non hazardous (oil/water),” “non-RCRA, non-hazardous [sic] (spent acid water & sludge),” “non RCRA – non hazardous (water/acetone)” and contained some or all of the following hazardous substances: acetone, cadmium, chromium, copper, dichloroethylene, lead, methyl ethyl ketone, methylene chloride, nickel, toluene, trichloroethane, xylenes and/or zinc.

3222. The waste streams generated by Texas A&M were also RCRA hazardous waste described on USOR Site Records as “RQ waste flammable liquid, n.o.s. 3, UNI 993, PG II (acetone & water)” and “waste flammable liquids, n.o.s. 3 UN 1993 II (acetone, xylene).”

3223. On certain occasions, Texas A&M arranged with transporters Defendant Bayou City Environmental Services, LP, Defendant Bealine Service Co., Inc., Envirologistics L.P., Defendant Evergreen Industrial Services, Defendant Pulido Trucking, LP, Defendant Smith Systems Transportation, Inc., Defendant Specialized Maintenance Services, Inc., Defendant Specialized Waste Systems, Inc. and Texas Environmental Xpress to transport Texas A&M’s waste streams to the USOR Site.

3224. The waste streams generated by Texas A&M and/or transported to the USOR Site by Texas A&M fall within the definition of “solid waste” under the TSWDA.

3225. By letter dated December 5, 2013, the USOR Site PRP Group notified Texas A&M of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or



threatened release of hazardous substances at the USOR Site; and offered Texas A&M the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

3226. To date, Texas A&M has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

3227. According to USOR Site Records, from at least February 2006 to September 2008, Defendant Texas City Independent School District ("Texas City ISD") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 6,444 gallons of waste containing hazardous substances owned or possessed by Texas City ISD, at the USOR Site.

3228. On certain occasions, the waste streams generated by Texas City ISD were RCRA hazardous waste described on USOR Site Records as "RQ waste corrosive liquid basic inorganic nos 8 UN 3266 PG III (potassium hydroxide)," "RQ white corrosive liquid (acetic acid)," "waste paint related material 3, UN1263 PG III" and "waste paint related material including paint thinning, drying, removing, 3, UN1263, PG III."

3229. On certain occasions, the waste streams generated by Texas City ISD is described on USOR Site Records as "non RCRA non-hazardous (oily water)" and contained some or all of the following hazardous substances: acetone, arsenic, benzene, cadmium, chromium, copper, dichloroethylene, lead, mercury, methyl ethyl ketone, methylene chloride, molybdenum, nickel, perchloroethylene, selenium, toluene, trichloroethane, trichloroethylene, vinyl chloride, xylenes and/or zinc.

3230. On certain occasions, Texas City ISD arranged with transporters Defendant Top Notch Transportation, Inc. and Defendant Legatee International Environmental Services, Inc.

doing business as Texas Waste Carriers to transport Texas City ISD's waste streams to the USOR Site.

3231. The waste streams Texas City ISD generated, transported to and/or arranged for disposal at the USOR Site fall within the definition of "solid waste" under the TSWDA.

3232. Texas City ISD entered into a series of tolling agreements with the USOR PRP Group, which tolled all applicable statutes of limitation from August 1, 2014 through the date of this Second Amended Complaint.

3233. To date, Texas City ISD has refused to cooperate with the USOR Site PRP Group and has not paid its equitable share of response costs incurred by the USOR Site PRP Group at the USOR Site.

3234. According to USOR Site Records, from at least December 2003 to February 2010, Defendant Texas Couplings, L.P. ("Texas Couplings") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 427,025 gallons of waste containing hazardous substances owned or possessed by Texas Couplings, at the USOR Site.

3235. The waste streams generated by Texas Couplings are described on USOR Site Records as "non-hazardous non-RCRA waste water (oily rinse water)," "non-hazardous non-RCRA (phosphate sludge)" and "oily rinse water" and contained some or all of the following hazardous substances: acetone, benzene, chromium, copper, dichlorobenzene, dichloroethylene, lead methylene chloride, trichloroethane, trichloroethylene and/or zinc.

3236. On certain occasions, Texas Couplings arranged with transporters Defendant Bealine Service Co., Inc., Ensource Corporation, Gulf Coast Vac, Defendant Specialized

Maintenance Services, Inc., Texas Waste Carriers and Defendant Top Notch Transportation, Inc. to transport Texas Couplings's waste streams to the USOR Site.

3237. The waste streams generated by Texas Couplings and/or transported to the USOR Site by Texas Couplings fall within the definition of "solid waste" under the TSWDA.

3238. By letters dated December 5, 2013 and December 7, 2015, the USOR Site PRP Group notified Texas Couplings of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Texas Couplings the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

3239. To date, Texas Couplings has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

3240. According to USOR Site Records, in at least May 2007, Defendant Texas Department of Criminal Justice ("TDCJ") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 2,500 gallons of waste containing hazardous substances owned or possessed by TDCJ, at the USOR Site.

3241. The waste generated by TDCJ is described on USOR Site Records as "sump (peas, carrots & water)" and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

3242. The waste streams generated by TDCJ and/or transported to the USOR Site by TDCJ fall within the definition of "solid waste" under the TSWDA.

3243. By letter dated February 20, 2015, the USOR Site PRP Group notified TDCJ of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site, and offered TDCJ the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

3244. To date, TDCJ has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

3245. According to USOR Site Records, from at least April 2004 to January 2007, Defendant Texas Department of Transportation ("TX DOT") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 88,325 gallons of waste containing hazardous substances owned or possessed by TX DOT, at the USOR Site.

3246. The waste streams generated by TX DOT are described on USOR Site Records as "clay absorbent contaminated with motor oil," "clay absorbent contaminated with gasoline," "non-RCRA non-hazardous stormwater," "oil and diesel," "oil contaminated booms & pads," "oily water," "used black tar," "used diesel," "used gasoline," "used transmission fluid," "well development water" and contained some or all of the following hazardous substances: acetone, benzene, chromium, dichloroethylene, ethyl benzene, manganese, methyl ethyl ketone, nickel, perchloroethylene, toluene, trichloroethane, vinyl chloride, xylenes and/or zinc.

3247. On certain occasions, TX DOT arranged with transporters Cavazos Environmental Inc., CEDA, Gulf Coast Vacuum, Oil Mop and Defendant Specialized Maintenance Services, Inc. to transport TX DOT's waste streams to the USOR Site.

3248. The waste streams generated by TX DOT and/or transported to the USOR Site by TX DOT fall within the definition of “solid waste” under the TSWDA.

3249. By letter dated December 5, 2013, the USOR Site PRP Group notified TX DOT of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered TX DOT the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

3250. To date, TX DOT has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

3251. According to USOR Site Records, from at least September 2003 to November 2009, Defendant Texas General Land Office (“TGLO”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 439,492 gallons of waste containing hazardous substances owned or possessed by TGLO, at the USOR Site.

3252. The waste streams generated by TGLO are described on USOR Site Records as “non hazardous non RCRQ wastewater (bilge water),” “non hazardous non-RCRA (oil/solvent rags)” and “non RCRA non hazardous (bilge water)” and contained some or all of the following hazardous substances: acetone, benzene, chromium, ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or zinc.

3253. On certain occasions, TGLO arranged with transporters Defendant Bealine Service Co., Inc., Defendant Enviro-Vac, Ltd., Defendant Specialized Maintenance Services, Inc., Defendant Specialized Waste Systems, Inc. and US Oil Recovery to transport TGLO’s waste streams to the USOR Site.

3254. The waste streams generated by TGLO and/or transported to the USOR Site by TGLO fall within the definition of “solid waste” under the TSWDA.

3255. Additionally, TGLO established and operates the Bilge Water Reclamation Program in response to unauthorized oil spills from commercial and recreational vessels.

3256. TGLO operates the Western Seafood Water Reclamation facility (“Western Seafood Water Reclamation”) in Freeport, Texas as part of TGLO’s Bilge Water Reclamation Program.

3257. According to USOR Site Records, from at least July 2004 through August 2005, Western Seafood Water Reclamation by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 71,250 gallons of waste containing hazardous substances owned or possessed by Western Seafood Water Reclamation, at the USOR Site.

3258. The waste streams generated by Western Seafood Water Reclamation are described on USOR Site Records as “non hazardous non RCRQ wastewater (bilge water)” and contained some or all of the following hazardous substances acetone, benzene, chromium, ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or zinc.

3259. On certain occasions, Western Seafood Water Reclamation arranged with transporter Defendant Enviro-Vac, Ltd. to transport Western Seafood Water Reclamation’s waste streams to the USOR Site.

3260. The waste streams generated by Western Seafood Water Reclamation and/or transported to the USOR Site by Western Seafood Water Reclamation fall within the definition of “solid waste” under the TSWDA.

3261. By letter dated December 5, 2013, the USOR Site PRP Group notified TGLO of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered TGLO the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

3262. To date, TGLO has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

3263. Alternatively, Defendant Western Seafood Co. ("Western Seafood"), as owner of the Western Seafood Water Reclamation facility, is responsible for at least 88,250 gallons of waste attributable to TGLO, as alleged in paragraph nos. 3257-3258 above.

3264. To date, Western Seafood has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

3265. According to USOR Site Records, from at least May 2004 to January 2008, Defendant Texas International Box Company & Rentals, Inc. ("Texas International Box") accepted for transport to the USOR Site, which was selected by Texas International Box, and/or by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment of waste owned or possessed by Texas International Box, at least 4,695,418 gallons of waste containing hazardous substances at the USOR Site.

3266. The waste streams Texas International Box generated, transported and/or arranged for disposal are described on USOR Site Records as "oily," "organic," "oily water" and "oil" and contained some or all of the following hazardous substances: acetone, benzene, chromium, copper, dichlorobenzene, dichloroethylene, ethyl benzene, lead, manganese, methyl ethyl ketone,

methylene chloride, nickel, perchloroethylene, toluene, trichloroethane, trichloroethylene, xylenes and/or zinc.

3267. On certain occasions, Texas International Box transported and/or arranged for disposal of its own waste streams to the USOR Site.

3268. On other occasions, Texas International Box transported and/or arranged for disposal of waste streams generated by Air Liquide, Defendant Control Solutions, Inc., Defendant Curran International, Inc., K-Solv, LP, Defendant Kirby Inland Marine, LP, Louisiana Chemical, Lufkin Industries, NMM Transport, Pan Glo Service, Defendant South Atlantic Services, Inc., Southern Heat Exchanger, Splish Splash, Thermal Energy and UPT.

3269. On certain occasions, Texas International Box arranged with transporters Bayou City Environmental, GCR and Gulf Coast to transport Texas International Box's waste streams to the USOR Site.

3270. The waste streams Texas International Box generated, transported to and/or arranged for disposal at the USOR Site fall within the definition of "solid waste" under the TSWDA.

3271. By letter dated December 5, 2013, the USOR Site PRP Group notified Texas International Box of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Texas International Box the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.



3272. To date, Texas International Box has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

3273. Alternatively, Defendant Texas International Box Co. (“Texas International Box Co.”) is responsible for the waste streams attributable to Texas International Box, as alleged in paragraph nos. 3265-3266 above.

3274. To date, Texas International Box Co. has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

3275. According to USOR Site Records, in at least January 2006, Defendant Texas K&N International, Inc. doing business as Hungry Farmer Barbecue (“Hungry Farmer”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 3,000 gallons of waste containing hazardous substances owned or possessed by Hungry Farmer, at the USOR Site.

3276. The waste generated by Hungry Farmer is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

3277. On certain occasions, Hungry Farmer arranged with transporter A-Affordable Vacuum Service to transport Hungry Farmer’s waste streams to the USOR Site.

3278. The waste streams generated by Hungry Farmer fall within the definition of “solid waste” under the TSWDA.

3279. By letter dated August 25, 2015, the USOR Site PRP Group notified Hungry Farmer of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or

threatened release of hazardous substances at the USOR Site; and offered Hungry Farmer the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

3280. To date, Hungry Farmer has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

3281. According to USOR Site Records, from at least February 2006 to March 2006, Defendant Texas Racquet & Spa, Inc. doing business as Westside Tennis Club ("Westside Tennis Club") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 3,000 gallons of waste containing hazardous substances owned or possessed by Westside Tennis Club, at the USOR Site.

3282. The waste generated by Westside Tennis Club is described on USOR Site Records as "grease" and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, methyl ethyl ketone, methylene chloride, molybdenum, nickel, selenium, trichloroethane, trichloroethylene and/or zinc.

3283. On certain occasions, Westside Tennis Club arranged with transporter Defendant Public Sanitary Works, Inc. to transport Westside Tennis Club's waste streams to the USOR Site.

3284. The waste streams generated by Westside Tennis Club fall within the definition of "solid waste" under the TSWDA.

3285. By letter dated September 18, 2015, the USOR Site PRP Group notified Westside Tennis Club of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or

threatened release of hazardous substances at the USOR Site; and offered Westside Tennis Club the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

3286. To date, Westside Tennis Club has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

3287. According to USOR Site Records, from at least April 2004 to August 2008, Defendant Texas Southern University ("TSU") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 5,750 gallons of waste containing hazardous substances owned or possessed by TSU, at the USOR Site.

3288. The waste streams generated by TSU are described on USOR Site Records as "oily water" and "benzene" and contained some or all of the following hazardous substances: acetone, benzene, cadmium, dichloroethylene, lead, methyl ethyl ketone, methylene chloride, perchloroethylene, toluene, trichloroethane, trichloroethylene, vinyl chloride, xylenes and/or zinc.

3289. On certain occasions, TSU arranged with transporters Defendant Specialized Maintenance Services Inc. and Defendant Top Notch Transportation, Inc. to transport TSU's waste streams to the USOR Site.

3290. The waste streams generated by TSU and/or transported to the USOR Site by TSU fall within the definition of "solid waste" under the TSWDA.

3291. By letters dated May 8, 2014 and February 20, 2015, the USOR Site PRP Group notified TSU of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or

threatened release of hazardous substances at the USOR Site; and offered TSU the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

3292. To date, TSU has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

3293. According to USOR Site Records, in at least December 2006, Defendant Texas State University System ("Texas State University") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 2,800 gallons of waste containing hazardous substances owned or possessed by Texas State University, at the USOR Site.

3294. The waste streams generated by Texas State University are described on USOR Site Records as "non-regulated liquid" and contained some or all of the following hazardous substances: acetone, benzene, cadmium, dichloroethylene, lead, methyl ethyl ketone, methylene chloride, perchloroethylene, toluene, trichloroethane, trichloroethylene, vinyl chloride, xylenes and/or zinc.

3295. On certain occasions, Texas State University arranged with transporters Safety Kleen Systems, Inc. and Triad Transport Inc. to transport Texas State University's waste streams to the USOR Site.

3296. The waste streams generated by Texas State University and/or transported to the USOR Site by Texas State University fall within the definition of "solid waste" under the TSWDA.

3297. By letter dated May 8, 2014, the USOR Site PRP Group notified Texas State University of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or

threatened release of hazardous substances at the USOR Site; and offered Texas State University the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

3298. To date, Texas State University has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

3299. According to USOR Site Records, from at least May 2004 to January 2005, Defendant Texas Sterling Construction Co. ("Texas Sterling") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 950 gallons of waste containing hazardous substances owned or possessed by Texas Sterling, at the USOR Site.

3300. The waste streams generated by Texas Sterling are described on USOR Site Records as "non-RCRA/non DOT regulated water and concrete curing compound" and contained some or all of the following hazardous substances: acetone, asbestos, benzene, benzo(a)anthracene, benzo(a)pyrene, cadmium, chromium, copper, cresol, dichloroethylene, fluorene, lead, methyl ethyl ketone, methylene chloride, nickel, perchloroethylene, phenanthrene, silver, tin, toluene, trichloroethane, trichloroethylene, vinyl chloride, xylenes and/or zinc.

3301. On certain occasions, Texas Sterling arranged with transporter CES Environmental Service, Inc. to transport Texas Sterling's waste streams to the USOR Site.

3302. The waste streams generated by Texas Sterling and/or transported to the USOR Site by Texas Sterling fall within the definition of "solid waste" under the TSWDA.

3303. By letter dated November 21, 2014, the USOR Site PRP Group notified Texas Sterling of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or

threatened release of hazardous substances at the USOR Site, and offered Texas Sterling the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

3304. To date, Texas Sterling has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

3305. According to USOR Site Records, in at least February 2006, Defendant Texas Tamale Co., Inc. ("Texas Tamale") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 20 gallons of waste containing hazardous substances owned or possessed by Texas Tamale, at the USOR Site.

3306. The waste generated by Texas Tamale is described on USOR Site Records as "grease" and contained some or all of the following hazardous substances: acetone, benzene, chromium, copper, dichlorobenzene, dichloroethylene, lead, methylene chloride, trichloroethane, trichloroethylene and/or zinc.

3307. On certain occasions, Texas Tamale arranged with transporter Defendant Public Sanitary Works, Inc. to transport Texas Tamale's waste streams to the USOR Site.

3308. The waste streams generated by Texas Tamale fall within the definition of "solid waste" under the TSWDA.

3309. By letter dated September 18, 2015, the USOR Site PRP Group notified Texas Tamale of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Texas Tamale the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

3310. To date, Texas Tamale has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

3311. According to USOR Site Records, from at least May 2005 to October 2007, Defendant Texas Water Management LLC (“Texas Water Management”) accepted for transport to the USOR Site, which was selected by Texas Water Management, and/or by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment of waste owned or possessed by Texas Water Management, at least 201,705 gallons of waste containing hazardous substances at the USOR Site.

3312. The waste streams Texas Water Management generated, transported and/or arranged for disposal are described on USOR Site Records as “non-regulated material (waste water),” “organic chemicals,” “oily water” and “caustic aqueous waste without cyanides” and contained some or all of the following hazardous substances: acetone, cadmium, chromium, copper, dichloroethylene, lead, methylene chloride, methyl ethyl ketone, nickel, toluene, trichloroethane, trichloroethylene and/or zinc.

3313. The waste streams Texas Water Management generated, transported and/or arranged for disposal were also RCRA hazardous waste described on USOR Site Records as “waste, toxic, liquid, organic, NOS (RQ, phenol, formaldehyde) 6.1, UN3287, 1.”

3314. On certain occasions, Texas Water Management transported its own waste streams to the USOR Site.

3315. On other occasions, Texas Water Management arranged with transporter Gulf Coast Vacuum to transport Texas Water Management’s waste streams to the USOR Site.

3316. On certain occasions, Texas Water Management transported and/or arranged for disposal of waste streams generated by Hexion Specialty Chemicals, Louisiana Pacific, Pick a Part, Saw Pipes and USAg Recycling, Inc.

3317. The waste streams generated by Texas Water Management and/or transported to the USOR Site by Texas Water Management fall within the definition of “solid waste” under the TSWDA.

3318. By letters dated December 5, 2013 and April 24, 2015, the USOR Site PRP Group notified Texas Water Management of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Texas Water Management the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

3319. To date, Texas Water Management has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

3320. According to USOR Site Records, from at least November 2005 to March 2006, Defendant Thai Gourmet, Inc. doing business as Thai Gourmet Restaurant (“Thai Gourmet”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 60 gallons of waste containing hazardous substances owned or possessed by Thai Gourmet, at the USOR Site.

3321. The waste generated by Thai Gourmet is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.



3322. On certain occasions, Thai Gourmet arranged with transporter Defendant Public Sanitary Works, Inc. to transport Thai Gourmet's waste streams to the USOR Site.

3323. The waste streams generated by Thai Gourmet fall within the definition of "solid waste" under the TSWDA.

3324. By letter dated September 18, 2015, the USOR Site PRP Group notified Thai Gourmet of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Thai Gourmet the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

3325. To date, Thai Gourmet has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

3326. According to USOR Site Records, from at least November 2005 to March 2006, Defendant Thiem Hung Bakery ("Thiem Hung Bakery") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 650 gallons of waste containing hazardous substances owned or possessed by Thiem Hung Bakery, at the USOR Site.

3327. The waste generated by Thiem Hung Bakery is described on USOR Site Records as "grease" and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

3328. On certain occasions, Thiem Hung Bakery arranged with transporter Defendant Public Sanitary Works, Inc. to transport Thiem Hung Bakery's waste streams to the USOR Site.

3329. The waste streams generated by Thiem Hung Bakery fall within the definition of "solid waste" under the TSWDA.

3330. By letter dated September 18, 2015, the USOR Site PRP Group notified Thiem Hung Bakery of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Thiem Hung Bakery the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

3331. To date, Thiem Hung Bakery has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

3332. According to USOR Site Records, in at least February 2006, Defendant Three Brothers Bakery, Inc. ("Three Brothers Bakery") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 1,000 gallons of waste containing hazardous substances owned or possessed by Three Brothers Bakery, at the USOR Site.

3333. The waste generated by Three Brothers Bakery is described on USOR Site Records as "grease" and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

3334. On certain occasions, Three Brothers Bakery arranged with transporter A-Affordable Vacuum Service to transport Three Brothers Bakery's waste streams to the USOR Site.

3335. The waste streams generated by Three Brothers Bakery fall within the definition of "solid waste" under the TSWDA.

3336. By letter dated September 4, 2015, the USOR Site PRP Group notified Three Brothers Bakery of the existence of the release or threatened release of hazardous substances at

the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Three Brothers Bakery the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

3337. To date, Three Brothers Bakery has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

3338. According to USOR Site Records, from at least November 2005 to January 2006, Defendant Three Gringos Restaurant Consultants, Inc. doing business as Fajita Flats ("Fajita Flats") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 1,500 gallons of waste containing hazardous substances owned or possessed by Fajita Flats, at the USOR Site.

3339. The waste generated by Fajita Flats is described on USOR Site Records as "grease" and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

3340. On certain occasions, Fajita Flats arranged with transporter Defendant Consolidated Waste, LLC, doing business as Liquid Waste Solutions, to transport Fajita Flats' waste streams to the USOR Site.

3341. The waste streams generated by Fajita Flats fall within the definition of "solid waste" under the TSWDA.

3342. By letter dated August 25, 2015, the USOR Site PRP Group notified Fajita Flats of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened

release of hazardous substances at the USOR Site; and offered Fajita Flats the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

3343. To date, Fajita Flats has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

3344. Defendant Tideport Distributing, Inc. ("Tideport Distributing") is the successor to Hamner, Inc. ("Hamner").

3345. According to USOR Site Records, from at least November 2003 to November 2004, Hamner accepted at least 482,122 gallons of waste containing hazardous substances for transport to the USOR Site.

3346. The waste streams transported by Hamner are described on USOR Site Records as "non-regulated for transport (mannich water)," "other aqueous waste w/low dissolved solids (mannich water)" and "non-regulated for transport (oil water emulsion)" and contained some or all of the following hazardous substances: acetone, benzene, chromium, ethyl benzene, xylenes, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane and/or zinc.

3347. The waste streams Hamner transported to the USOR Site were generated by Ethyl Corporation.

3348. The waste streams transported to the USOR Site by Hamner fall within the definition of "solid waste" under the TSWDA.

3349. Additionally, Tideport Distributing is the successor to Tideport Petroleum, Inc. ("Tideport Petroleum").

3350. According to USOR Site Records, from at least September 2004 to June 2005, Tideport Petroleum accepted at least 440,635 gallons of waste containing hazardous substances for transport to the USOR Site.

3351. The waste streams transported by Tideport Petroleum are described on USOR Site Records as “non-regulated for transport (mannich water),” “other organic liquid (non hazardous waste water)” and “non-regulated for transport (oil water emulsion)” and contained some or all of the following hazardous substances: acetone, benzene, chromium, ethyl benzene, xylenes, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane and/or zinc.

3352. The waste streams Tideport Petroleum transported to the USOR Site were generated by Allied Petrochemical, Ethyl Corporation and Texas Oil and Gathering.

3353. The waste streams transported to the USOR Site by Tideport Petroleum fall within the definition of “solid waste” under the TSWDA.

3354. By letter dated August 6, 2015, the USOR Site PRP Group notified Tideport Distributing of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Tideport Distributing the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

3355. To date, Tideport Distributing has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

3356. Defendant Tierra Viva, Inc. (“Tierra Viva”) currently does business as El Pueblito Patio (“El Pueblito”).

3357. According to USOR Site Records, from at least November 2005 to March 2006, El Pueblito by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 120 gallons of waste containing hazardous substances owned or possessed by El Pueblito, at the USOR Site.

3358. The waste generated by El Pueblito is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

3359. On certain occasions, El Pueblito arranged with transporter Defendant Public Sanitary Works, Inc. to transport El Pueblito’s waste streams to the USOR Site.

3360. The waste streams generated by El Pueblito fall within the definition of “solid waste” under the TSWDA.

3361. Additionally, Tierra Viva formerly did business as Mango’s Cantina (“Mango’s Cantina”).

3362. According to USOR Site Records, in at least February 2006, Mango’s Cantina by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 20 gallons of waste containing hazardous substances owned or possessed by Mango’s Cantina, at the USOR Site.

3363. The waste generated by Mango’s Cantina is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

3364. On certain occasions, Mango’s Cantina arranged with transporter Defendant Public Sanitary Works, Inc. to transport Mango’s Cantina’s waste streams to the USOR Site.

3365. The waste streams generated by Mango’s Cantina fall within the definition of “solid waste” under the TSWDA.

3366. By letter dated August 25, 2015, the USOR Site PRP Group notified Tierra Viva of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened

release of hazardous substances at the USOR Site; and offered Tierra Viva the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

3367. To date, Tierra Viva has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

3368. According to USOR Site Records, from at least February 2006 to March 2006, Defendant Tioman Island, Inc. doing business as Far East Chinese Restaurant ("Tioman Island") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 40 gallons of waste containing hazardous substances owned or possessed by Tioman Island, at the USOR Site.

3369. The waste generated by Tioman Island is described on USOR Site Records as "grease" and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

3370. On certain occasions, Tioman Island arranged with transporter Defendant Public Sanitary Works, Inc. to transport Tioman Island's waste streams to the USOR Site.

3371. The waste streams generated by Tioman Island fall within the definition of "solid waste" under the TSWDA.

3372. By letter dated August 25, 2015, the USOR Site PRP Group notified Tioman Island of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Tioman Island the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

3373. To date, Tioman Island has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

3374. According to USOR Site Records, from at least October 2003 to July 2005, Defendant Tiona Truck Line, Inc. (“Tiona Truck”) accepted at least 21,036 gallons of waste containing hazardous substances for transport to the USOR Site.

3375. The waste streams transported by Tiona Truck are described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: acetone, cadmium, chromium, copper, dichloroethylene, lead, methyl ethyl ketone, methylene chloride, nickel, toluene, trichloroethane, trichloroethylene and/or zinc.

3376. The waste streams transported to the USOR Site by Tiona Truck fall within the definition of “solid waste” under the TSWDA.

3377. By letters dated December 5, 2013 and December 19, 2014, the USOR Site PRP Group notified Tiona Truck of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Tiona Truck the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

3378. To date, Tiona Truck has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

3379. According to USOR Site Records, in at least February 2006, Defendant Tito’s Taco Shop (“Tito’s Taco”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 300 gallons of waste containing hazardous substances owned or possessed by Tito’s Taco, at the USOR Site.



3380. The waste generated by Tito's Taco is described on USOR Site Records as "grease" and contained some or all of the following hazardous substances: acetone, arsenic, benzene, cadmium, chromium, copper, dichlorobenzene, dichloroethylene, lead, methylene chloride, molybdenum, nickel, selenium, trichloroethane, trichloroethylene and/or zinc.

3381. On certain occasions, Tito's Taco arranged with transporter Defendant Public Sanitary Works, Inc. to transport Tito's Taco's waste streams to the USOR Site.

3382. The waste streams generated by Tito's Taco fall within the definition of "solid waste" under the TSWDA.

3383. By letter dated September 18, 2015, the USOR Site PRP Group notified Tito's Taco of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Tito's Taco the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

3384. To date, Tito's Taco has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

3385. According to USOR Site Records, from at least January 2000 to April 2009, Defendant Top Notch Transportation Inc. ("Top Notch") accepted at least 461,552 gallons of waste containing hazardous substances for transport to the USOR Site, which was selected by Top Notch.

3386. The waste streams transported by Top Notch are described on USOR Site Records as, including but not limited to, "non RCRA non hazardous wastewater," "non RCRA, non hazardous (antifreeze)," "non-RCRA, non hazardous (polishing rinsewater)," "non RCRA non hazardous latex & MEK," "non RCRA non hazardous paint booth filters," "non hazardous non

RCRA adhesive glue,” “non-hazardous non RCRA (phosphate sludge),” “non-hazardous, non-RCRA (lube oil),” “non-RCRA, non-hazardous virgin product,” “non RACA [sic] non hazardous latex paint,” “non-RCRA, non-hazardous (epoxy sludge),” “non RCRA non-hazardous (petroleum solids),” “non-RCRA non hazardous (wax water)” and “non-RCRA non-hazardous (developer solution)” and contained some or all of the following hazardous substances: acetone, asbestos, benzene, benzo(a)anthracene, benzo(a)pyrene, cadmium, chromium, cresol, ethyl benzene, lead, manganese, methyl ethyl ketone, nickel, phenanthrene, tin, toluene, trichloroethane, trichloroethylene, vinyl chloride, xylenes and/or zinc.

3387. The waste streams transported by Top Notch were also RCRA hazardous waste described on USOR Site Records as, including but not limited to, “RQ paint related material 3, UN1263, PG II (universal waste),” “waste flammable liquids, n.o.s. 3, UN1993, PGII,” “waste paint related material including drying, removing, 3, UN1263, III (universal acetone & rags),” “waste corrosive liquid, acidic, inorganic, nos 8, UN3264, PG III (spent acid debris)” and “hazardous waste liquid nos 9 NA3082 PG III.”

3388. The waste streams Top Notch transported to the USOR Site were generated by, including but not limited to, Defendant Specialty Metal Finishing, Inc., Natural Gas Pipeline, Barrier Equipment, Hilton Double Tree, P Chem. Incorporated, Hexion Specialty Chemicals, TX Industrial Box Co. & Rentals Inc., Texas Commission on Environmental Quality, Nucor Vulcraft Group, Paradigm Plastics, Country Crafters, MTI Environmental, Analytical Services Inc., Texas City ISD Maintenance Dept., Century Industrial Coating, Defendant Texas Couplings, L.P., K-Solv, LP, Pipeline Valve Specialty, Defendant Intra-Services Inc., Inkjet Inc., Katy ISD, Fort Bend ISD, HISD-Eastwood Academy, Metrix Inc., Tru Logistics Inc., Leedo Cabinetry,

Enterprise Transportation Company, R & M Services, Domco Products Texas LP, American Valve and Hydrant, Alief ISD and Powell Electrical Manf.

3389. The waste streams transported to the USOR Site by Top Notch fall within the definition of “solid waste” under the TSWDA.

3390. To date, Top Notch has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

3391. According to USOR Site Records, from at least November 2004 to January 2005, Defendant Trans-Global Solutions, Inc. (“Trans-Global”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 12,800 gallons of waste containing hazardous substances owned or possessed by Trans-Global, at the USOR Site.

3392. The waste streams generated by Trans-Global are described on USOR Site Records as “non-hazardous recyclable hydrocarbons,” “hydraulic oil and water” and “oily water” and contained some or all of the following hazardous substances: acetone, benzene, chromium, ethyl benzene, xylenes, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane and/or zinc.

3393. On certain occasions, Trans-Global arranged with transporters Gator Environmental, GCR and USA Industrial Services to transport Trans-Global’s waste streams to the USOR Site.

3394. The waste streams generated by Trans-Global and/or transported to the USOR Site by Trans-Global fall within the definition of “solid waste” under the TSWDA.

3395. By letters dated December 5, 2013 and September 18, 2015, the USOR Site PRP Group notified Trans-Global of the existence of the release or threatened release of hazardous

substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Trans-Global the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

3396. To date, Trans-Global has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

3397. Defendant TransMontaigne Product Services Inc. ("TransMontaigne") is the successor to Houston Marine Services, Inc. ("Houston Marine").

3398. In or about December 2008, Houston Marine was merged into TransMontaigne.

3399. According to USOR Site Records, from at least February 2004 to August 2007, Houston Marine accepted for transport to the USOR Site, which was selected by Houston Marine, and/or by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment of waste owned or possessed by Houston Marine, at least 710,993 gallons of waste containing hazardous substances at the USOR Site.

3400. Some of the waste streams Houston Marine generated, transported and/or arranged for disposal are described on USOR Site Records as "non-hazardous non-regulated wastewater," "non RCRA non hazardous recyclable oil," "oily sludge/tank bottoms non hazardous recycle reuse," "petroleum contaminated sludge," "oily sludge tank bottoms," "PGO waste," "very dilute aqueous waste containing more than 99 percent water (fire and storm water)," "recyclable hydrocarbons" and contained some or all of the following hazardous substances: acetone, benzene, cadmium, chromium, copper, dichloroethylene, ethyl benzene,

lead, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, trichloroethylene, xylenes and/or zinc.

3401. Other waste streams Houston Marine generated, transported and/or arranged for disposal were RCRA hazardous waste described on USOR Site Records as “flammable liquid nos (methylethyl [sic] ketone, toluene, other, 3, UN 1993, PG I (D001).”

3402. On certain occasions, Houston Marine transported its own waste streams to the USOR Site.

3403. On other occasions, Houston Marine arranged with transporter ABClean, Defendant Gator Environmental & Rentals, Inc. and Defendant Phoenix Pollution Control & Environmental Services, Inc. to transport Houston Marine’s waste streams to the USOR Site.

3404. On other occasions, Houston Marine transported and/or arranged for disposal of waste streams generated by All Chem Services, Inc., Blentech, Bolivar Barge and Conoco Phillips.

3405. The waste streams Houston Marine generated, transported to and/or arranged for disposal at the USOR Site fall within the definition of “solid waste” under the TSWDA.

3406. By letter dated December 5, 2013, the USOR Site PRP Group notified Houston Marine of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Houston Marine the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

3407. To date, TransMontaigne has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

3408. Alternatively, Defendant Heidmar Inc. (“Heidmar”) is the successor to Houston Marine and is responsible for the waste streams attributable to TransMontaigne, as alleged in paragraph nos. 3399-3041 above.

3409. To date, Heidmar has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

3410. According to USOR Site Records, in at least March 2006, Defendant Transworld Deli (“Transworld Deli”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 20 gallons of waste containing hazardous substances owned or possessed by Transworld Deli, at the USOR Site.

3411. The waste generated by Transworld Deli is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

3412. On certain occasions, Transworld Deli arranged with transporter Defendant Public Sanitary Works, Inc. to transport Transworld Deli’s waste streams to the USOR Site.

3413. The waste streams generated by Transworld Deli fall within the definition of “solid waste” under the TSWDA.

3414. By letter dated October 30, 2015, the USOR Site PRP Group notified Transworld Deli of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Transworld Deli the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

3415. To date, Transworld Deli has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

3416. According to USOR Site Records, in at least January 2006, Defendant Tri Lotus Seafood, Inc. doing business as Lotus Seafood Market (“Tri Lotus Seafood”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 800 gallons of waste containing hazardous substances owned or possessed by Tri Lotus Seafood, at the USOR Site.

3417. The waste generated by Tri Lotus Seafood is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

3418. On certain occasions, Tri Lotus Seafood arranged with transporter A-Affordable Vacuum Service to transport Tri Lotus Seafood’s waste streams to the USOR Site.

3419. The waste streams generated by Tri Lotus Seafood fall within the definition of “solid waste” under the TSWDA.

3420. By letter dated September 4, 2015 the USOR Site PRP Group notified Tri Lotus Seafood of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Tri Lotus Seafood the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

3421. To date, Tri Lotus Seafood has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

3422. According to USOR Site Records, in at least February 2007, Defendant Tri-Star Protector Services Co. (“Tri-Star Protector”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 322,856 gallons of waste containing hazardous substances owned or possessed by Tri-Star Protector, at the USOR Site.

3423. The waste streams generated by Tri-Star Protector are described on USOR Site Records as “non-hazardous, non DOT regulated (class I, wastewater)” and contained some or all of the following hazardous substances: acetone, benzene, chromium, ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or zinc.

3424. On certain occasions, Tri-Star Protector arranged with transporters Defendant Bealine Service Co., Inc., Defendant Specialized Waste Systems, Inc. and US Oil Recovery to transport Tri-Star Protector’s waste streams to the USOR Site.

3425. The waste streams generated by Tri-Star Protector fall within the definition of “solid waste” under the TSWDA.

3426. By letter dated February 7, 2014, the USOR Site PRP Group notified Tri-Star Protector of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Tri-Star Protector the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

3427. To date, Tri-Star Protector has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.



3428. According to USOR Site Records, from at least August 2004 to June 2007, Defendant Triad Transport, Inc. (“Triad”) accepted at least 855,767 gallons of waste containing hazardous substances for transport to the USOR Site.

3429. Some of the waste streams transported by Triad were RCRA hazardous waste described on USOR Site Records as “RQ waste corrosive liquids flammable NOS (contains magnesium chloride & heptane) 8 UN2920 PG II,” “waste corrosive liquids flammable NOS (contains potassium hydroxide and heptane) 8 UN2920 PGII,” “waste sodium hydroxide solution, 8, UN1824 PG II,” “RQ waste corrosive liquid, basic, inorganic, nos, (potassium hydroxide, barium) 8 UN3266, PG II (0002),” “RQ, waste, corrosive, liquid, nos (sodium/hydroxide/allyl alcohol), 8, UN 1760 PG II, C0002)” and “waste corrosive liquid flammable NOS (contains aluminum chloride and heptane) 8 UN2920 PGII.”

3430. Other waste streams transported by Triad are described on USOR Site Records as “non regulated waste water,” “non DOT regulated material (air scrubber wastewater),” “spent aqueous cleaning solution,” “non DOT regulated material (oil and water emulsion),” “bonderite” and “non DOT regulated material (water and ammonium nitrate)” and contained some or all of the following hazardous substances: acetone, cadmium, chromium, copper, dichloroethylene, lead, methyl ethyl ketone, methylene chloride, nickel, toluene, trichloroethane, trichloroethylene and/or zinc.

3431. The waste streams Triad transported to the USOR Site were generated by Aerojet, Akzo Nobel, Blentech, Ciba Corp., Delta Centrifugal, LLC, General Dynamics Mfg., Defendant Kelly-Springfield, Kern Liebers, Lone Star Fasteners and Defendant Taylor Press Products Co.

3432. The waste streams transported to the USOR Site by Triad fall within the definition of “solid waste” under the TSWDA.

3433. To date, Triad has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

3434. Upon information or belief, Defendant Trigos Mexican Restaurant (“Trigos”) is formerly known as Casa Garay Mexican Restaurants, Inc. (“Casa Garay”).

3435. According to USOR Site Records, in at least February 2006, Casa Garay by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 800 gallons of waste containing hazardous substances owned or possessed by Casa Garay, at the USOR Site.

3436. The waste generated by Casa Garay is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

3437. On certain occasions, Casa Garay arranged with transporter Defendant Public Sanitary Works, Inc. to transport Casa Garay’s waste streams to the USOR Site.

3438. The waste streams generated by Casa Garay fall within the definition of “solid waste” under the TSWDA.

3439. By letter dated August 14, 2015, the USOR Site PRP Group notified Trigos of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Trigos the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

3440. To date, Trigos has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

3441. According to USOR Site Records, from at least December 2005 to at least August 2007, Defendant Triple B Industrial Services LLC (“Triple B”) accepted for transport to the USOR Site, which was selected by Triple B, and/or by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged for transport for disposal or treatment, at least 114,186 gallons of waste containing hazardous substances at the USOR Site.

3442. On certain occasions, the waste streams Triple B transported and/or arranged for disposal are described on USOR Site Records as “oily water with soap and surfactant,” “non RCRA non Hazardous rinse water,” “oily,” and “oily water” and contained some or all of the following hazardous substances: acetone, benzene, chromium, ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or zinc.

3443. On certain occasions, Triple B transported and/or arranged for disposal of waste streams generated by Defendant Shell Oil Co.

3444. The waste streams Triple B generated, transported to and/or arranged for disposal at the USOR Site fall within the definition of “solid waste” under the TSWDA.

3445. Triple B entered into a series of tolling agreements with the USOR PRP Group, which tolled all applicable statutes of limitation from August 1, 2014 through the date of this Second Amended Complaint.

3446. To date, Triple B has refused to cooperate with the USOR Site PRP Group and has not paid its equitable share of response costs incurred by the USOR Site PRP Group at the USOR Site.

3447. According to USOR Site Records, in at least November 2005, Tung Hoi Restaurant Inc. doing business as Tung Hoi Restaurant (“Tung Hoi Restaurant”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for

transport for disposal or treatment, at least 150 gallons of waste containing hazardous substances owned or possessed by Tung Hoi Restaurant, at the USOR Site.

3448. The waste generated by Tung Hoi Restaurant is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

3449. On certain occasions, Tung Hoi Restaurant arranged with transporter Unique Sanitation to transport Tung Hoi Restaurant’s waste streams to the USOR Site.

3450. The waste streams generated by Tung Hoi Restaurant fall within the definition of “solid waste” under the TSWDA.

3451. By letter dated September 18, 2015, the USOR Site PRP Group notified Tung Hoi Restaurant of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Tung Hoi Restaurant the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

3452. To date, Tung Hoi Restaurant has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

3453. According to USOR Site Records, from at least February 2004 to December 2005, Defendant Turneco Oil and Service (“Turneco Oil Service”) accepted for transport to the USOR Site, which was selected by Turneco Oil Service, and/or by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment of waste owned or possessed by Turneco Oil Service, at least 11,424 gallons of waste containing hazardous substances at the USOR Site.

3454. The waste streams Turneco Oil Service generated, transported and/or arranged for disposal are described on USOR Site Records as “oily water,” “oil” and “used oil” and contained some or all of the following hazardous substances: acetone, benzene, chromium, ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or zinc.

3455. On certain occasions, Turneco Oil Service transported its own waste streams to the USOR Site.

3456. On certain occasions, Turneco Oil Service transported and/or arranged for disposal of waste streams generated by Dow Machine, Everest Valve Co., Defendant FAM Marine Services, Inc., Defendant North American Marine, Inc., Sorb All and Wolar Industries.

3457. The waste streams generated and/or transported to the USOR Site by Turneco Oil Service fall within the definition of “solid waste” under the TSWDA.

3458. By letter dated December 19, 2014, the USOR Site PRP Group notified Turneco Oil Service of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site, and offered Turneco Oil Service the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

3459. To date, Turneco Oil Service has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

3460. Alternatively, Defendant Turner Co. (“Turner Co.”) is responsible for the waste streams attributable to Turneco Oil Service, as alleged in paragraph nos. 3453-3454 above.

3461. To date, Turner Co. has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

3462. Defendant Tyler MD Holdings LLC (“Tyler MD”) is the successor to La Gloria Oil & Gas Co. (“La Gloria Oil”).

3463. In or about September 2005, La Gloria Oil changed its name to Tyler Holding Company, Inc. (“Tyler Holding”).

3464. In or about September 2010, Tyler Holding was merged with and into Tyler MD.

3465. According to USOR Site Records, from at least October to December 2001, La Gloria Oil by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 302,510 gallons of waste containing hazardous substances owned or possessed by La Gloria Oil, at the USOR Site.

3466. The waste streams generated by La Gloria Oil were RCRA hazardous waste described on USOR Site Records as “RQ, environmentally hazardous waste substances, liquid, N.O.S. (contains F037, F038), 9, UN 3082, III.”

3467. La Gloria Oil arranged with transporter Quality Carriers Inc. to transport La Gloria Oil’s waste streams to the USOR Site.

3468. The waste streams generated by La Gloria Oil fall within the definition of “solid waste” under the TSWDA.

3469. By letters dated December 5, 2013 and April 24, 2015, the USOR Site PRP Group notified La Gloria Oil and Tyler MD, respectively, of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered La Gloria Oil and Tyler MD the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

3470. To date, Tyler MD has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

3471. According to USOR Site Records, from at least February 2005 to June 2007, Defendant URS Corp. (“URS Corp.”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 5,245 gallons of waste containing hazardous substances owned or possessed by URS Corp., at the USOR Site.

3472. The waste streams generated by and URS Corp. are described on USOR Site Records as “non hazardous oil,” “soil borings,” “organic” and “non hazardous purge water” and contained some or all of the following hazardous substances: acetone, benzene, cadmium, chromium, copper, dichloroethylene, ethyl benzene, lead, manganese, methyl ethyl ketone, methylene chloride, nickel, perchloroethylene, toluene, trichloroethane, trichloroethylene, vinyl chloride, xylenes and/or zinc.

3473. On certain occasions, URS Corp. arranged with transporters Ensorce Corporation and Defendant Top Notch Transportation, Inc. to transport URS Corp.’s waste streams to the USOR Site.

3474. The waste streams generated by URS Corp. all within the definition of “solid waste” under the TSWDA.

3475. By letters dated December 5, 2013 and December 12, 2014, the USOR Site PRP Group notified URS Corp. of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered

URS Corp. the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

3476. To date, URS has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

3477. According to USOR Site Records, from at least January 2004 to February 2008, Defendant USA Environment, LP ("USA Environment") accepted for transport to the USOR Site, which was selected by USA Environment, and/or by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment of waste owned or possessed by USA Environment, at least 4,154,388 gallons of waste containing hazardous substances at the USOR Site.

3478. Additionally, USA Environment is also known as USA Industrial Services ("USA Industrial Services") and/or does business as USA Industrial Services.

3479. Some of the waste streams USA Environment and/or USA Industrial Services generated, transported and/or arranged for disposal are described on USOR Site Records as "non regulated material," "non regulated non hazardous (water with trace ethylene glycol)," "rinse water non haz non reg," "non hazardous, class I, waste water," "non DOT regulated material (drilling mud)," "non regulated non hazardous liquid (water and butadiene)," "non regulated material (outdated hydraulic oil)," "waste ink and water," "50% water/50% tank bottoms mixed w/diesel," "sludge from oil separator containing ink and cardboard leftovers," "sump water," "compressor oil" and "cutting oil and water" and contained some or all of the following hazardous substances: acetone, benzene, cadmium, chromium, copper, dichlorobenzene, dichloroethylene, ethyl benzene, lead, manganese, methylene chloride, methyl ethyl ketone, nickel, perchloroethylene, toluene, trichloroethane, trichloroethylene, xylenes and/or zinc.



3480. Other waste streams USA Environment and/or USA Industrial Services generated, transported and/or arranged for disposal were RCRA hazardous waste described on USOR Site Records as “waste flammable liquid, NOS, 3, UN1993, PG II (isopropanol, aromatic, naphtha),” “RQ waste flammable liquids, n.o.s. (clean solvents), 3, UN1993, PG III (D0001),” “RQ waste corrosive liquid, basic, inorganic, nos, 8, UN 3266, PG II, (KOH, Naoh),” “RQ waste corrosive liquid, acidic, inorganic, n.o.s. (ferric sulfuric solution), 8, UN 3264, PG II” and “RQ waste combustible liquid, nos, combustible liquid, 3, NA1993, PG III (RQ=1.4-dioxane 100lbs.)”

3481. On certain occasions, USA Environment and/or USA Industrial Services transported its own waste streams to the USOR Site.

3482. On other occasions, USA Environment and/or USA Industrial Services transported and/or arranged for disposal of waste streams generated by, including but not limited to, Altivia, Atlantic Trading & Marketing, Balmoral Group, BPI Realty, Centerpoint Energy, CFF Recycling, Champion Technologies, Contractors Technology, CTI, Curran/Truck Washing, CVS Pharmacy, Delta Chemical, Delta Petroleum Co., Inc., Dynergy Midstream, Eagle-Orange, Flint Ink, Fuller Storage, G.E. Water & Process Technology, Greystar Inc., Griggs Auto Center, Harcros Chemicals, Harris County Landfill, Helmerich & Payne International, HGM, JJ Sheldon, JC Penney Co., Koch Hydrocarbons, Louis Dreyfus Energy Services, Lubrizol, Lug-A-Jug, Magellan Midstream, Metro, Midtown Development, Nisseki Chemical, Oneok Hydrocarbon, The Planet, PWI, Reliant Park, Rescar, Rouse, S&B Engineering, Sercel Inc., Smurfitt Stone, Starco Energy, Targa Midstream, Texas Petrochemical, Todco, Tuboscope, Defendant Texas Department of Transportation, UTMB, Vanguard Car Rental, Wal-Mart Stores, Inc., Weatherford International and Wendy’s Car Wash, LLC.

3483. The waste streams USA Environment and/or USA Industrial Services generated, transported to and/or arranged for disposal at the USOR Site fall within the definition of “solid waste” under the TSWDA.

3484. On or about March 4, 2013, USA Environment executed a Participation Agreement with the USOR PRP Group to become a member of the USOR PRP Group, but USA Environment has subsequently breached the contract it entered into with the USOR PRP Group.

3485. Since breaching its contract with the USOR PRP Group, USA Environment refuses to cooperate with the USOR Site PRP Group and has not paid its equitable share of response costs incurred by the USOR Site PRP Group at the USOR Site.

3486. Additionally USA Environment is the successor to GC Remediation, Ltd. (“GC Remediation”).

3487. Upon information or belief, USA Environment acquired GC Remediation in or about 2005 and thereafter continued the uninterrupted business operations of GC Remediation.

3488. According to USOR Site Records, from at least September 2003 to October 2004, GC Remediation accepted for transport to the USOR Site, which was selected by GC Remediation, and/or by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment of waste owned or possessed by GC Remediation, at least 399,809 gallons of waste containing hazardous substances at the USOR Site.

3489. Some of the waste streams GC Remediation generated, transported and/or arranged for disposal are described on USOR Site Records as “oily non hazardous waste water,” “non hazardous, class I, wastewater,” “non haz waste liquid, non haz regulated material,” “non DOT regulated material (sump solids of trash, rubber, debris and water)” and “very dilute

aqueous waste containing more than 99 percent water (rainwater runoff)” and contained some or all of the following hazardous substances: acetone, benzene, cadmium, chromium, copper, dichlorobenzene, dichloroethylene, ethyl benzene, lead, manganese, methylene chloride, methyl ethyl ketone, nickel, perchloroethylene, toluene, trichloroethane, trichloroethylene, xylenes and/or zinc.

3490. Other waste streams GC Remediation generated, transported and/or arranged for disposal were RCRA hazardous waste described on USOR Site Records as “RQ waste combustible liquid, nos, combustible liquid, 3, NA1993, PG III (RQ=1.4-dioxane 100lbs.)”.

3491. On certain occasions, GC Remediation transported its own waste streams to the USOR Site.

3492. On certain occasions, GC Remediation transported and/or arranged for disposal of waste streams generated by Contractors Technology, Ltd., Kelly Springfield, Oxid, LP, Southwest Shipyard, Defendant Texas International Box Company & Rentals, Inc., Texas Oil and Gathering and WSI Industrial Safety.

3493. The waste streams GC Remediation generated, transported to and/or arranged for disposal at the USOR Site fall within the definition of “solid waste” under the TSWDA.

3494. Alternatively, Defendant GC Remediation is responsible for at least 399,809 gallons of waste attributable to USA Environment, as alleged in paragraph nos. 3488-3490 above.

3495. To date, GC Remediation has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

3496. Alternatively, Defendant USA Industrial Services is responsible for at least 5,845,921 gallons of waste attributable to USA Environment, as alleged in paragraph nos. 3488-3490 above.

3497. By letter dated December 5, 2013, the USOR Site PRP Group notified USA Industrial Services of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered USA Industrial Services the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

3498. To date, USA Industrial Services has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

3499. According to USOR Site Records, in at least September 2005, Defendant USA Vacuum, LLC ("USA Vacuum") accepted at least 2,500 gallons of waste containing hazardous substances for transport to the USOR Site.

3500. The waste streams transported by USA Vacuum is described on USOR Site Records as "copper naphthenate rinsate" and contained some or all of the following hazardous substances: acetone, benzene, chromium, copper, ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or zinc.

3501. The waste streams USA Vacuum transported to the USOR Site were generated by Rescar.

3502. The waste streams transported to the USOR Site by USA Vacuum fall within the definition of "solid waste" under the TSWDA.

3503. To date, USA Vacuum has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

3504. Defendant USCAR LLC doing business as Auto Check #9 (“USCAR”) is the successor to Auto Check (“Old Auto Check”) operating at 1539 Cypress Station Drive, Houston, Texas (“Cypress address”) from at least February 2008 to March 2009.

3505. According to USOR Site Records, from at least February 2008 to March 2009, Old Auto Check, located at the Cypress address, by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 120 gallons of waste containing hazardous substances owned or possessed by Old Auto Check, at the USOR Site.

3506. In or about February 2013, USCAR began to operate an auto repair business, under the assumed name Auto Check #9, located at the Cypress address, under a franchise agreement with Autocheck Franchising Systems LLC (“Autocheck Franchising”), as franchisor.

3507. The waste streams generated by Old Auto Check are described on USOR Site Records as “non RCRA non-hazardous (petroleum dirt)” and contained some or all of the following hazardous substances: acetone, benzene, chromium, ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or zinc.

3508. On certain occasions, Old Auto Check arranged with transporters Defendant Legacee International Environmental Services, Inc., doing business as Texas Waste Carriers, and Defendant Top Notch Transportation, Inc. to transport Old Auto Check’s waste streams to the USOR Site.

3509. The waste streams generated by Old Auto Check fall within the definition of “solid waste” under the TSWDA.

3510. By letter dated November 21, 2014, the USOR Site PRP Group notified USCAR of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered USCAR the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

3511. To date, USCAR has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

3512. Alternatively, Defendant Autocheck Franchising is responsible for the waste streams attributable to Old Auto Check, as alleged in paragraph nos. 3505-3507 above.

3513. To date, Autocheck Franchising has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

3514. Defendant United Environmental Services, LLC ("United Environmental Services") is the successor to ProWaste, Inc. ("ProWaste").

3515. Upon information or belief, United Environmental Services is also known as ProWaste and/or did business as ProWaste.

3516. According to USOR Site Records, from at least May 2003 to February 2009, ProWaste accepted for transport to the USOR Site, which was selected by ProWaste, by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment of waste owned or possessed by ProWaste, at least 958,602 gallons of waste containing hazardous substances at the USOR Site.

3517. The waste streams generated by and/or transported by ProWaste are described on USOR Site Records as including but not limited to "spill cleanup waste water," "calcium chloride & water," "rinse water" and "oily water" and contained some or all of the following

hazardous substances: acetone, benzene, cadmium, chromium, dichloroethylene, ethyl benzene, lead, manganese, methyl ethyl ketone, methylene chloride, nickel, perchloroethylene, toluene, trichloroethane, trichloroethylene, vinyl chloride, xylenes and/or zinc.

3518. On certain occasions, ProWaste arranged with transporter Firebird Bulk Carriers to transport ProWaste's waste streams to the USOR Site.

3519. On other occasions, ProWaste accepted for transport to the USOR Site waste streams generated by, including but not limited to, National Coupling, Kinder Morgan, Green Hunter, Galveston Bay Biodiesel, Magellan, Channel Shipyard and Houston Shutters.

3520. The waste streams generated by ProWaste and/or transported to the USOR Site by ProWaste fall within the definition of "solid waste" under the TSWDA.

3521. Additionally, United Environmental Services does business as United Tank Services ("United Tank Services").

3522. According to USOR Site Records, from at least May 2003 to February 2009, United Tank Services accepted for transport to the USOR Site, which was selected by United Tank Services, by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment of waste owned or possessed by United Tank Services, at least 18,480 gallons of waste containing hazardous substances at the USOR Site.

3523. The waste streams United Tank Services generated, transported and/or arranged for disposal are described on USOR Site Records as "rinse water," "used cutting," "used clay," "oily solids" and "tank sludge" and contained some or all of the following hazardous substances: acetone, barium, benzene, cadmium, chromium, copper, dichloroethylene, ethyl benzene, lead,

manganese, methyl ethyl ketone, methylene chloride, nickel, perchloroethylene, toluene, trichloroethane, trichloroethylene, vinyl chloride, xylenes and/or zinc.

3524. The waste streams United Tank Services transported to the USOR Site were generated Houston Marine Services, National Oilwell, BNSF and Tauber Oil Company.

3525. The waste streams transported to the USOR Site by United Tank Services fall within the definition of “solid waste” under the TSWDA.

3526. By letter dated December 5, 2013, the USOR Site PRP Group notified ProWaste and United Tank Services, respectively, of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered ProWaste and United Tank Services the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

3527. To date, United Environmental Services has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

3528. According to USOR Site Records, from at least August 2004 to November 2005, Defendant United States Coast Guard (“US Coast Guard”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 47,586 gallons of waste containing hazardous substances owned or possessed by US Coast Guard, at the USOR Site.

3529. The waste streams generated by US Coast Guard are described on USOR Site Records as “cleaning solution” and “oily water” and contained some or all of the following hazardous substances: acetone, benzene, copper, dichlorobenzene, dichloroethylene, ethyl



benzene, lead, manganese, methyl ethyl ketone, methylene chloride, nickel, toluene, trichloroethane, trichloroethylene, xylenes and/or zinc.

3530. On certain occasions, US Coast Guard arranged with transporters Garner Environmental, Bealine and Oil Mop LLC to transport US Coast Guard's waste streams to the USOR Site.

3531. The waste streams generated by US Coast Guard fall within the definition of "solid waste" under the TSWDA.

3532. By letters dated December 5, 2013 and August 20, 2015, the USOR Site PRP Group notified US Coast Guard of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered US Coast Guard the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

3533. To date, US Coast Guard has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

3534. According to USOR Site Records, in at least January 2004, Defendant United States Navy ("U.S. Navy") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 500 gallons of waste containing hazardous substances owned or possessed by U.S. Navy, at the USOR Site.

3535. The waste streams generated by U.S. Navy are described on USOR Site Records as "oil" and contained some or all of the following hazardous substances: acetone, benzene,

chromium, copper, dichlorobenzene, dichloroethylene, ethyl benzene, lead, manganese, methyl ethyl ketone, methylene chloride, nickel, toluene, trichloroethane, trichloroethylene, xylenes and/or zinc.

3536. On certain occasions, U.S. Navy arranged with transporter Drane Ranger to transport U.S. Navy's waste streams to the USOR Site.

3537. The waste streams generated by U.S. Navy and/or transported to the USOR Site by U.S. Navy fall within the definition of "solid waste" under the TSWDA.

3538. By letter dated January 22, 2015, the USOR Site PRP Group notified U.S. Navy of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered U.S. Navy the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

3539. To date, U.S. Navy has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

3540. According to USOR Site Records, in at least December 2004, Defendant University of Houston ("University of Houston") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 5,430 gallons of waste containing hazardous substances owned or possessed by University of Houston, at the USOR Site.

3541. The waste streams generated by University of Houston are described on USOR Site Records as "oily water" and contained some or all of the following hazardous substances: acetone, benzene, cadmium, chromium, copper, dichlorobenzene, dichloroethylene, lead, methyl

ethyl ketone, methylene chloride, perchloroethylene, toluene, trichloroethane, trichloroethylene, vinyl chloride, xylenes and/or zinc.

3542. On certain occasions, University of Houston arranged with transporter Defendant Specialized Maintenance Services, Inc. to transport University of Houston's waste streams to the USOR Site.

3543. The waste streams generated by University of Houston fall within the definition of "solid waste" under the TSWDA.

3544. By letters dated December 5, 2013 and January 22, 2015, the USOR Site PRP Group notified University of Houston of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered University of Houston the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

3545. To date, University of Houston has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

3546. According to USOR Site Records, from at least May 2004 to July 2004, Defendant University of Saint Thomas ("UST") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 2,200 gallons of waste containing hazardous substances owned or possessed by UST, at the USOR Site.

3547. The waste generated by UST is described on USOR Site Records as "oily water" and contained some or all of the following hazardous substances: acetone, benzene, chromium,

ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or zinc.

3548. On certain occasions, UST arranged with transporter Defendant Specialized Maintenance Services, Inc. to transport UST's waste streams to the USOR Site.

3549. The waste streams UST generated, transported to and/or arranged for disposal at the USOR Site fall within the definition of "solid waste" under the TSWDA.

3550. UST entered into a series of tolling agreements with the USOR PRP Group, which tolled all applicable statutes of limitation from August 1, 2014 through the date of this Second Amended Complaint.

3551. To date, UST has refused to cooperate with the USOR Site PRP Group and has not paid its equitable share of response costs incurred by the USOR Site PRP Group at the USOR Site.

3552. Defendant The University of Texas System ("University of Texas") owns University of Texas Health Science Center ("UTHSC") and University of Texas Medical Branch ("UTMB").

3553. According to USOR Site Records, from at least September 2004 to April 2006, UTMB, and by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 108,740 gallons of waste containing hazardous substances owned or possessed by UTMB, at the USOR Site.

3554. The waste streams generated by UTMB are described on USOR Site Records as "oily water," "organic," and "grease" and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, methyl ethyl ketone, methylene chloride, trichloroethane, trichloroethylene and/or zinc.

3555. On certain occasions, UTMB arranged with transporters Garner Environmental, Earth America, Bayou City, USA Environmental and Eagle Construction to transport UTMB's waste streams to the USOR Site.

3556. According to USOR Site Records, in at least April 2005, UTHSC, and by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 6,060 gallons of waste containing hazardous substances owned or possessed by UTHSC, at the USOR Site.

3557. The waste streams generated by both UTMB and UTHSC fall within the definition of "solid waste" under the TSWDA.

3558. To date, University of Texas has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

3559. According to USOR Site Records, from at least September 2007 to March 2008, Defendant USAg Recycling, Inc. ("USAg Recycling") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 32,400 gallons of waste containing hazardous substances owned or possessed by USAg Recycling, at the USOR Site.

3560. The waste streams generated by USAg Recycling are described on USOR Site Records as "waste water" and contained some or all of the following hazardous substances: acetone, benzene, cadmium, chromium, dichloroethylene, ethyl benzene, lead, manganese, methyl ethyl ketone, methylene chloride, nickel, perchloroethylene, toluene, trichloroethane, trichloroethylene, vinyl chloride, xylenes and/or zinc.

3561. On certain occasions, USAg Recycling arranged with transporters Defendant Texas Water Management LLC and Gulf Coast Vacuum to transport USAg Recycling's waste streams to the USOR Site.

3562. The waste streams generated by USAg Recycling fall within the definition of "solid waste" under the TSWDA.

3563. On or about July 12, 2012, USAg Recycling executed a Participation Agreement with the USOR PRP Group to become a member of the USOR PRP Group, but USAg Recycling has subsequently breached the contract it entered into with the USOR PRP Group.

3564. Since breaching its contract with the USOR PRP Group, USAg Recycling refuses to cooperate with the USOR Site PRP Group and has not paid its equitable share of response costs incurred by the USOR Site PRP Group at the USOR Site.

3565. According to USOR Site Records, from at least February 2006 to March 2006, Defendant Valencia Interests-Houston, Inc. doing business as The Lancaster Hotel ("Lancaster Hotel") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 900 gallons of waste containing hazardous substances owned or possessed by Lancaster Hotel, at the USOR Site.

3566. The waste generated by Lancaster Hotel is described on USOR Site Records as "grease" and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, methyl ethyl ketone, methylene chloride, molybdenum, nickel, selenium, trichloroethane, trichloroethylene and/or zinc.

3567. On certain occasions, Lancaster Hotel arranged with transporter Defendant Public Sanitary Works, Inc. to transport Lancaster Hotel's waste streams to the USOR Site.

3568. The waste streams generated by Lancaster Hotel fall within the definition of “solid waste” under the TSWDA.

3569. By letter dated September 4, 2015, the USOR Site PRP Group notified Lancaster Hotel of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Lancaster Hotel the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

3570. To date, Lancaster Hotel has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

3571. According to USOR Site Records, from at least February 2005 to May 2006, Defendant Valkyrie Commissioning Services, Inc. (“Valkyrie Commissioning”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 1,800 gallons of waste containing hazardous substances owned or possessed by Valkyrie Commissioning, at the USOR Site.

3572. The waste streams generated by Valkyrie Commissioning are described on USOR Site Records as “oily water” and “aqueous cleaning solution” and contained some or all of the following hazardous substances: acetone, benzene, cadmium, dichloroethylene, lead, methyl ethyl ketone, methylene chloride, perchloroethylene, toluene, trichloroethane, trichloroethylene, vinyl chloride, xylenes and/or zinc.

3573. On certain occasions, Valkyrie Commissioning arranged with transporters Industrial Solutions and US Oil Recovery to transport Valkyrie Commissioning’s waste streams to the USOR Site.

3574. The waste streams generated by Valkyrie Commissioning fall within the definition of “solid waste” under the TSWDA.

3575. By letters dated December 5, 2013 and December 12, 2014, the USOR Site PRP Group notified Valkyrie Commissioning of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Valkyrie Commissioning the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

3576. To date, Valkyrie Commissioning has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

3577. According to USOR Site Records, from at least February 2006 to March 2006, Defendant Volunteers of America Texas, Inc. (“VOA Texas”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 40 gallons of waste containing hazardous substances owned or possessed by VOA Texas, at the USOR Site.

3578. The waste generated by VOA Texas is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

3579. On certain occasions, VOA Texas arranged with transporter Defendant Public Sanitary Works, Inc. to transport VOA Texas’ waste streams to the USOR Site.

3580. The waste streams generated by VOA Texas fall within the definition of “solid waste” under the TSWDA.



3581. By letter dated September 4, 2015, the USOR Site PRP Group notified VOA Texas of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered VOA Texas the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

3582. To date, VOA Texas has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

3583. According to USOR Site Records, from at least April to May 2005, Defendant W. Perry's Inc. ("W. Perry") accepted for transport to the USOR Site, which was selected by W. Perry, and/or by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment of waste owned or possessed by W. Perry, at least 9,755 gallons of waste containing hazardous substances at the USOR Site.

3584. The waste streams W. Perry generated, transported and/or arranged for disposal are described on USOR Site Records as "oily water," "organic grease," "grease trap," "grease" and "grit trap" and contained some or all of the following hazardous substances: acetone, benzene, copper, lead, methyl ethyl ketone, nickel, perchloroethylene, silver, tin, toluene, trichloroethane, trichloroethylene, vinyl chloride and/or zinc.

3585. On certain occasions, W. Perry transported its own waste streams to the USOR Site.

3586. The waste streams W. Perry generated, transported to and/or arranged for disposal at the USOR Site fall within the definition of "solid waste" under the TSWDA.

3587. By letter dated December 18, 2014, the USOR Site PRP Group notified W. Perry's of the existence of the release or threatened release of hazardous substances at the USOR

Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered W. Perry's the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

3588. To date, W. Perry's has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

3589. According to USOR Site Records, in at least March 2006, Defendant Wael MC Co. doing business as Wael's Mediterranean Cuisine ("Wael MC") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 1,051 gallons of waste containing hazardous substances owned or possessed by Wael MC, at the USOR Site.

3590. The waste generated by Wael MC is described on USOR Site Records as "grease" and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

3591. On certain occasions, Wael MC arranged with transporter Mr. Pumper Sewer Service to transport Wael MC's waste streams to the USOR Site.

3592. The waste streams generated by Wael MC fall within the definition of "solid waste" under the TSWDA.

3593. By letter dated September 4, 2015, the USOR Site PRP Group notified Wael MC of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Wael MC the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

3594. To date, Wael MC has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

3595. According to USOR Site Records, in at least February 2006, Defendant Wan Fu Express Restaurant (“Wan Fu”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 1,000 gallons of waste containing hazardous substances owned or possessed by Wan Fu, at the USOR Site.

3596. The waste generated by Wan Fu is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

3597. On certain occasions, Wan Fu arranged with transporter Defendant Public Sanitary Works, Inc. to transport Wan Fu’s waste streams to the USOR Site.

3598. The waste streams generated by Wan Fu fall within the definition of “solid waste” under the TSWDA.

3599. By letter dated September 4, 2015, the USOR Site PRP Group notified Wan Fu of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Wael MC the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

3600. To date, Wan Fu has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

3601. According to USOR Site Records, from at least August to October 2004, Defendant WATCO Companies, LLC (“WATCO”) by contract, agreement, or otherwise

arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 140,800 gallons of waste containing hazardous substances owned or possessed by WATCO, at the USOR Site.

3602. The waste streams generated by WATCO are described on USOR Site Records as “organic” and contained some or all of the following hazardous substances: acetone, benzene, cadmium, chromium, copper, dichloroethylene, ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or zinc.

3603. On certain occasions, WATCO arranged with transporters Defendant El Regio Vacuum Service, Defendant Gator Environmental & Rentals, Inc. and Oil Mop to transport WATCO’s waste streams to the USOR Site.

3604. The waste streams generated by WATCO and/or transported to the USOR Site by WATCO fall within the definition of “solid waste” under the TSWDA.

3605. Additionally, WATCO is the owner of Greens Port Terminal (“Greens Port”).

3606. According to USOR Site Records, in at least October 2008, Greens Port by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 1,500 gallons of waste containing hazardous substances owned or possessed by Greens Port, at the USOR Site.

3607. The waste streams generated by Greens Port are described on USOR Site Records as “diesel and water” and contained some or all of the following hazardous substances: acetone, benzene, cadmium, chromium, copper, dichloroethylene, ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or zinc.

3608. Greens Port arranged with transporter Defendant Phoenix Pollution Control & Environmental Services, Inc. to transport Greens Port’s waste streams to the USOR Site.

3609. The waste streams generated by Greens Port fall within the definition of “solid waste” under the TSWDA.

3610. By letters dated December 5, 2013 and April 24, 2015, the USOR Site PRP Group notified the Greens Port Terminal and WATCO, respectively, of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered the Greens Port Terminal and WATCO the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

3611. To date, WATCO has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

3612. According to USOR Site Records, in at least March 2007, Defendant Weatherford U.S., L.P. (“Weatherford”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 10,220 gallons of waste containing hazardous substances owned or possessed by Weatherford, at the USOR Site.

3613. The waste streams generated by Weatherford are described on USOR Site Records as “oily water,” “oily” and “sump sludge and water” and contained some or all of the following hazardous substances: acetone, benzene, chromium, ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or zinc.

3614. On certain occasions, Weatherford arranged with transporters Bayou City Environmental Services, LP to transport Weatherford’s waste streams to the USOR Site.

3615. The waste streams generated by Weatherford fall within the definition of “solid waste” under the TSWDA.

3616. By letter dated December 5, 2013, the USOR Site PRP Group notified Weatherford of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Weatherford the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

3617. To date, Weatherford has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

3618. According to USOR Site Records, from at least February 2004 to September 2007, Defendant Western Oilfields Supply Co. ("Western Oilfields") doing business as Rain for Rent ("Rain for Rent"), by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 102,040 gallons of waste containing hazardous substances owned or possessed by Rain for Rent, at the USOR Site.

3619. The waste streams generated by Rain for Rent are described on USOR Site Records as "wash water" and "oily water" and contained some or all of the following hazardous substances: acetone, benzene, chromium, ethyl benzene, manganese, methyl ethyl ketone, nickel, toluene, trichloroethane, xylenes and/or zinc.

3620. On certain occasions, Rain for Rent arranged with transporters Specialized Waste Systems, CES Environmental Services, Inc. and EEW to transport Rain for Rent's waste streams to the USOR Site.

3621. The waste streams generated by Rain for Rent fall within the definition of "solid waste" under the TSWDA.

3622. By letters dated December 5, 2013 and December 14, 2015, the USOR Site PRP Group notified Rain for Rent and Western Oilfields, respectively, of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Rain for Rent and Western Oilfields the opportunity to voluntarily join in the USOR Site PRP Group's efforts at the USOR Site.

3623. To date, Western Oilfields has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

3624. According to USOR Site Records, in at least January 2003 to November 2003, Defendant Western Properties, Co. ("Western Properties") by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 1,010 gallons of waste containing hazardous substances owned or possessed by Western Properties, at the USOR Site.

3625. The waste streams generated by Western Properties are described on USOR Site Records as "organic," "non-RCRA, non-hazardous soil, sludge, and water," and contained some or all of the following hazardous substances: acetone, benzene, cadmium, chromium, cobalt, copper, dichloroethylene, ethyl benzene, lead, manganese, methyl ethyl ketone, methylene chloride, nickel, perchloroethylene, toluene, trichloroethane, trichloroethylene, xylenes and/or zinc.

3626. On certain occasions, Western Properties arranged with transporter CES Environmental to transport Western Properties' waste streams to the USOR Site.

3627. The waste streams generated by Western Properties fall within the definition of “solid waste” under the TSWDA.

3628. By letters dated December 5, 2013 and February 25, 2015, the USOR Site PRP Group notified Western Properties of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Western Properties the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

3629. To date, Western Properties has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

3630. Defendant Westrock CP, LLC (“Westrock”) is formerly known as RockTenn CP, LLC (“RockTenn”), and is the successor to Smurfit-Stone Container Corp. (“Smurfit-Stone”).

3631. In or about May 2011, Smurfit-Stone was merged with and into Sam Acquisition, LLC under the name of RockTenn.

3632. In or about December 2015, RockTenn changed its name to Westrock pursuant to an Amended Certificate of Authority Name Change, filed with the Georgia Secretary of State.

3633. According to USOR Site Records, from at least January 2005 to March 2008, Smurfit-Stone by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 25,820 gallons of waste containing hazardous substances owned or possessed by Smurfit-Stone, at the USOR Site.

3634. The waste streams generated by Smurfit-Stone are described on USOR Site Records as “sludge from oil separator containing ink and cardboard leftovers” and contained



some or all of the following hazardous substances: acetone, barium, copper, methyl ethyl ketone, toluene, trichloroethane, trichloroethylene, xylenes and/or zinc.

3635. On certain occasions, Smurfit-Stone arranged with transporter USA Industrial to transport Smurfit-Stone waste streams to the USOR Site.

3636. The waste streams generated by Smurfit-Stone fall within the definition of “solid waste” under the TSWDA.

3637. By letter dated February 27, 2015, the USOR Site PRP Group notified RockTenn of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered RockTenn the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

3638. To date, Westrock has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

3639. According to USOR Site Records, in at least February 2006, Defendant Williams Fried Chicken, Inc. (“Williams Chicken”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 2,000 gallons of waste containing hazardous substances owned or possessed by Williams Chicken, at the USOR Site.

3640. The waste generated by Williams Chicken is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

3641. On certain occasions, Williams Chicken arranged with transporter A-Affordable Vacuum Services to transport Williams Chicken’s waste streams to the USOR Site.

3642. The waste streams generated by Williams Chicken fall within the definition of “solid waste” under the TSWDA.

3643. By letter dated September 4, 2015, the USOR Site PRP Group notified Williams Chicken of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Williams Chicken the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

3644. To date, Williams Chicken has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

3645. According to USOR Site Records, in at least March 2006, Defendant The Woodlands Country Club (“The Woodlands”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 1,000 gallons of waste containing hazardous substances owned or possessed by The Woodlands, at the USOR Site.

3646. The waste generated by The Woodlands is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, methyl ethyl ketone, methylene chloride, molybdenum, nickel, selenium, trichloroethane, trichloroethylene and/or zinc.

3647. On certain occasions, The Woodlands arranged with transporter Defendant Consolidated Waste, LLC, doing business as Liquid Waste Solutions, to transport The Woodlands’ waste streams to the USOR Site.

3648. The waste streams generated by The Woodlands fall within the definition of “solid waste” under the TSWDA.

3649. To date, The Woodlands has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

3650. According to USOR Site Records, from at least November 2005 to March 2006, Defendant Yale Grill and Diner (“Yale Grill”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 900 gallons of waste containing hazardous substances owned or possessed by Yale Grill, at the USOR Site.

3651. The waste generated by Yale Grill is described on USOR Site Records as “grease” and “organic” and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

3652. On certain occasions, Yale Grill arranged with transporter Defendant Consolidated Waste, LLC, doing business as Liquid Waste Solutions, to transport Yale Grill’s waste streams to the USOR Site.

3653. The waste streams generated by Yale Grill fall within the definition of “solid waste” under the TSWDA.

3654. By letter dated September 4, 2015, the USOR Site PRP Group notified Yale Grill of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Yale Grill the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

3655. To date, Yale Grill has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

3656. According to USOR Site Records, in at least February 2006, Defendant ZDM Corporation doing business as Zydeco Louisiana Diner (“ZDM”) by contract, agreement, or otherwise arranged for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 250 gallons of waste containing hazardous substances owned or possessed by ZDM, at the USOR Site.

3657. The waste generated by ZDM is described on USOR Site Records as “grease” and contained some or all of the following hazardous substances: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium and/or zinc.

3658. On certain occasions, ZDM arranged with transporter Defendant Public Sanitary Works, Inc. to transport ZDM’s waste streams to the USOR Site.

3659. The waste streams generated by ZDM fall within the definition of “solid waste” under the TSWDA.

3660. By letter dated September 4, 2015, the USOR Site PRP Group notified ZDM of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered ZDM the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

3661. To date, ZDM has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

3662. According to USOR Site Records, in at least September 2004, Defendant Zust Bachmeier of Switzerland Inc. (“Zust Bachmeier”) by contract, agreement, or otherwise arranged

for disposal or treatment, and/or arranged with a transporter for transport for disposal or treatment, at least 1,400 gallons of waste containing hazardous substances owned or possessed by Zust Bachmeier, at the USOR Site.

3663. The waste streams generated by Zust Bachmeier are described on USOR Site Records as “organic” and “ bio drilling fluid” and contained some or all of the following hazardous substances: acetone, benzene, cadmium, chromium, copper, ethyl benzene, lead, manganese, methyl ethyl ketone, methyl chloride, nickel, toluene, trichloroethane, xylenes and/or zinc.

3664. On certain occasions, Zust Bachmeier arranged with transporters Ensorce Corporation to transport Zust Bachmeier’s waste streams to the USOR Site.

3665. The waste streams generated by Zust Bachmeier fall within the definition of “solid waste” under the TSWDA.

3666. By letters dated December 5, 2013 and December 12, 2014, the USOR Site PRP Group notified Zust Bachmeier of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site; and offered Zust Bachmeier the opportunity to voluntarily join in the USOR Site PRP Group’s efforts at the USOR Site.

3667. To date, Zust Bachmeier has refused to cooperate with the USOR Site PRP Group and has not paid any response costs incurred by the USOR Site PRP Group at the USOR Site.

#### **COUNT I – COST RECOVERY UNDER CERCLA**

3668. The USOR Site PRP Group realleges and incorporates by reference Paragraph Nos. 1 through 3667 of this Complaint as if fully restated herein.

3669. Section 107(a)(4) of CERCLA, 42 U.S.C. §§ 9607(a)(4), provides, in relevant part, that:

Notwithstanding any other provision or rule of law, and subject only to the defenses set forth in subsection (b) of this section --

(1) the owner and operator of a vessel or facility, (2) any person who at the time of disposal of any hazardous substance owned or operated any facility at which such hazardous substances were disposed of,... from which there is a release, or threatened release which causes the incurrence of response costs, of a hazardous substance, shall be liable for -- (A) all costs of removal or remedial action incurred by... a State... not inconsistent with the national contingency plan; (B) any other necessary costs of response incurred by any other person consistent with the national contingency plan;....

3670. “Disposal” is defined in CERCLA Section 101(29) by reference to the Solid Waste Disposal Act (“SWDA”). 42 U.S.C. § 9601(29). The SWDA defines “disposal” as “the discharge, deposit, injection, dumping, spilling, leaking, or placing of any solid waste or hazardous waste into or on any land or water so that such solid waste or hazardous waste or any constituent thereof may enter the environment or be emitted into the air or discharged into any waters, including ground waters.” 42 U.S.C. § 6903(3).

3671. “Facility” is defined in CERCLA Section 101(9) as “any building, structure, installation, equipment, pipe or pipeline” or “any site or area where a hazardous substance has been deposited, stored, disposed of, or placed....” 42 U.S.C. § 9601(9).

3672. “Hazardous substance” is defined in CERCLA Section 101(14) by reference to other federal statutes and by reference to a list of substances published by EPA at 40 C.F.R. § 302.4. 42 U.S.C. § 9601(14).

3673. “Owner” or “Operator” is defined in CERCLA Section 101(20) as “... in the case of an onshore facility or an offshore facility, any person owning or operating such facility....” 42 U.S.C. § 9601(20).

3674. “Person” is defined in CERCLA Section 101(21) as “an individual, firm, corporation, association, partnership, consortium, joint venture, commercial entity, United States Government, State, municipality, commission, political subdivision of a State, or any interstate body.” 42 U.S.C. § 9601(20).

3675. “Release” is defined in CERCLA Section 101(22) as “any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping or disposing into the environment (including the abandonment or discarding of barrels, containers, and other closed receptacles containing any hazardous substance or pollutant or contaminant)....” 42 U.S.C. § 9601(22).

3676. “Response” is defined in CERCLA Section 101(25), and includes “removal” actions, “remedial” actions, and enforcement activities related thereto. 42 U.S.C. § 9601(25).

3677. The USOR Site is a “facility” within the meaning of Section 101(9) of CERCLA, 42 U.S.C. § 9601(9).

3678. There has been a “release” and/or a threatened “release” of “hazardous substances” at the USOR Site which has caused the incurrence of “response costs” by the USOR Site PRP Group, within the meanings of Sections 101(22), 101(14) and 107 of CERCLA, 42 U.S.C. §§ 9601(22), 9601(14) and 9607.

3679. Each of the Defendants is a “person” within the meaning of Section 101(21) of CERCLA, 42 U.S.C. § 9601(21).

3680. Pursuant to CERCLA, 42 U.S.C. §§ 9607(a)(3) and or 9607(a)(4), each Defendant, except Severn Trent, is liable as an arranger or generator of materials containing hazardous substances, which materials were disposed at the USOR Site; and/or a transporter of

hazardous substances who selected the USOR Site for the disposal of such hazardous substances, and who did dispose of such hazardous substances at the Site.

3681. Pursuant to CERCLA, 42 U.S.C. § 9607(a)(2), the City of Pasadena is liable as a past owner and operator of the 200 N. Richey Street portion of the USOR Site at a time when hazardous substances were disposed of at 200 N. Richey Street portion of the USOR Site.

3682. Pursuant to CERCLA, 42 U.S.C. § 9607(a)(2), Severn Trent is liable as a past owner and operator of the 200 N. Richey Street portion of the USOR Site at a time when hazardous substances were disposed of at 200 N. Richey Street portion of the USOR Site.

3683. As a result of the release and threatened release of hazardous substances at or from the USOR Site, the USOR Site PRP Group has incurred voluntary response costs and will continue to incur costs of “response,” as that term is defined by Section 101(25) of CERCLA, 42 U.S.C. § 9601(25).

3684. The response costs incurred by the USOR Site PRP Group in connection with the USOR Site are consistent with the NCP.

3685. Pursuant to CERCLA, 42 U.S.C. §§ 9607 and 9613, each Defendant is strictly, jointly and severally liable for the voluntary past and future response costs incurred and to be incurred by the USOR Site PRP Group in response to the release or threatened release of hazardous substances at and from the USOR Site.

WHEREFORE, the USOR Site PRP Group respectfully prays that this Court enter judgment in its favor and against all Defendants holding that each Defendant is strictly, jointly and severally liable for the voluntary response costs incurred or to be incurred by the USOR Site PRP Group, including appropriate pre-judgment interest, in connection with the release and/or threatened release of hazardous substances at the USOR Site. The USOR Site PRP Group further



requests that this Court award interest and costs of suit, including reasonable attorney's fees and consultant fees as permitted by law; and order any such other relief as the Court may deem just and appropriate under the circumstances.

## **COUNT II – CONTRIBUTION UNDER CERCLA**

3686. The USOR Site PRP Group realleges and incorporates by reference Paragraph Nos. 1 through 3685 of this Complaint as if fully restated herein.

3687. Sections 113(f)(1) and (3)(B) of CERCLA, 42 U.S.C. §§ 9613(f)(1) and (3)(B), provide, in relevant part, that:

Any person may seek contribution from any other person who is liable or potentially liable under section 9607(a)....

A person who has resolved its liability to the United States or a State for some or all of a response action or for some or all of the costs of such action in an administrative or judicially approved settlement may seek contribution from any person who is not party to a settlement....

3688. The USOR Site PRP Group has resolved its liability to EPA for matters covered in the Removal Action AOC.

3689. All Defendants are liable parties under CERCLA, but have not resolved their liability to the USOR Site PRP Group or EPA.

3690. To date, the USOR Site PRP Group has been compelled to incur and/or otherwise pay over \$7,825,000 in response costs at the USOR Site under the Removal Action AOC and the AOI-1 RI/FS AOC.

3691. The USOR Site PRP Group is entitled to contribution from all Defendants under Section 113(f)(1) of CERCLA, 42 U.S.C. § 9613(f)(1), for Defendants' respective equitable shares of all costs and damages incurred by USOR Site PRP Group, including applicable interest as provided for in Section 107(a) of CERCLA, 42 U.S.C. § 9607(a).

WHEREFORE, the USOR Site PRP Group respectfully request that this Court enter a declaratory judgment against all Defendants finding that they are each liable under Section 113(g)(2) of CERCLA, 42 U.S.C. § 9613(g)(2), and Section 28 U.S.C. §§ 2201 and 2202, and are obligated to pay for their equitable shares of all past and future response costs, plus interest, associated with the USOR Site. The USOR Site PRP Group further requests that this Court award interest and costs of suit, including reasonable attorney's fees and consultant fees as permitted by law; and order any such other relief as the Court may deem just and appropriate under the circumstances.

### **COUNT III – DECLARATORY RELIEF UNDER CERCLA**

3692. The USOR Site PRP Group alleges and incorporates by reference Paragraph Nos. 1 through 3691 of this Complaint as if fully restated herein.

3693. There is a present and actual controversy between the USOR Site PRP Group and all Defendants concerning their respective rights and obligations with respect to the response costs associated with the USOR Site.

3694. Section 113(g)(2) of CERCLA, 42 U.S.C. § 9613(g)(2), provides, in relevant part, that:

In any such action described in this subsection, the court shall enter a declaratory judgment on liability for response costs or damages that will be binding on any subsequent action or actions to recover further response costs or damages. A subsequent action or actions under section 9607 of this title for further response costs at the vessel or facility may be maintained at any time during the response action, but must be commenced no later than 3 years after the date of completion of all response action. Except as otherwise provided in this paragraph, an action may be commenced under section 9607 of this title for recovery of costs at any time after such costs have been incurred.

3695. The USOR Site PRP Group seek a declaratory judgment under Section 113(g)(2) of CERCLA, 42 U.S.C. § 9613(g)(2), against all Defendants holding them liable for their

respective equitable shares of response costs, that will be binding in any subsequent action to recover further response costs.

3696. The USOR Site PRP Group is entitled to judgment against all Defendants for past and future response costs incurred in connection with the USOR Site.

WHEREFORE, the USOR Site PRP Group respectfully prays that this Court enter a declaratory judgment against all Defendants finding that they are each liable under CERCLA and are obligated to pay for their equitable shares of all past and future response costs associated with the USOR Site. The USOR Site PRP Group further requests that this Court award interest and costs of suit, including reasonable attorney's fees and consultant fees as permitted by law; and order any such relief as the Court may deem just and appropriate under the circumstances.

#### **COUNT IV – COST RECOVERY UNDER TSWDA**

3697. The USOR Site PRP Group realleges and incorporates by reference Paragraph Nos. 1 through 3696 of this Complaint as if fully restated herein.

3698. Section 361.344(a) of the TSWDA, Tex. Health & Safety Code Ann. § 361.344, provides, in relevant part, that:

A person who conducts a removal or remedial action that is approved by the [Texas Natural Resource Conservation] commission and is necessary to address a release or threatened release may bring suit ... to recover the reasonable and necessary costs of that action and other costs as the court, in its discretion, considers reasonable.

3699. The response activities conducted to date by the USOR Site PRP Group at the USOR Site have been approved by the Texas Natural Resource Conservation Commission.

3700. "Person" is defined in Section 361.003(23) of the TSWDA as "an individual, corporation, organization, government or government subdivision or agency, business trust,

partnership, association or any other legal entity.” Tex. Health & Safety Code Ann. § 361.003(23).

3701. “Release” is defined in Section 361.003(28) of the TSWDA as “any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping or disposing into the environment.” Tex. Health & Safety Code Ann. § 361.003(28).

3702. “Removal” is defined in in Section 361.003(30) of the TSWDA to include: “(A) cleaning up or removing released hazardous waste from the environment; (B) taking necessary action in the event of the threat of release of hazardous waste into the environment; (C) taking necessary action to monitor, assess, and evaluate the release or threat of release of hazardous waste; (D) disposing of removed material; (E) erecting a security fence or other measure to limit access; (F) providing alternative water supplies, temporary evacuation, and housing for threatened individuals not otherwise provided for; (G) acting under Section 104(b) of environmental response law [CERCLA]; (H) providing emergency assistance under the federal Disaster Relief Act of 1974 (42 U.S.C. Section 5121 *et seq.*); or (I) taking any other necessary action to prevent, minimize, or mitigate damage to the public health and welfare or the environment that may otherwise result from a release or threat of release. Tex. Health & Safety Code Ann. § 361.003(30).

3703. “Solid Waste” is defined in Sections 361.003(34) and (35) of the TSWDA as follows: garbage, rubbish, refuse, sludge from a waste treatment plant, water supply treatment plant, or air pollution control facility, and other discarded material, including solid, liquid semisolid, or contained gaseous material resulting from industrial, municipal, commercial, mining, and agricultural operations and from community and institutional activities.

3704. “Solid Waste Facility” is defined in Section 361.003(36) of the TSWDA as follows: all contiguous land, including structures, appurtenances, and other improvements on the land, used for processing, storing, or disposing of solid waste. The term includes a publicly or privately owned solid waste facility consisting of several processing, storage, or disposal operational units such as one or more landfills, surface impoundments, or a combination of units.

3705. Both the 200 N. Richey Street and 400 N. Richey Street portions of the USOR Site are “solid waste facilities” within the meaning of Section 361.003(36) of the TSWDA.

3706. The waste streams, waste materials and/or sludges associated with each Defendant are all “solid waste” within the meanings of Sections 361.003(34) and (35) of the TSWDA.

3707. The USOR Site PRP Group consists of “persons” who have and continue to conduct “removal” actions that are approved by the Texas Natural Resource Conservation Commission and are necessary to address a “release” or threatened “release,” within the meanings of Sections 361.003 and 361.344 of the TSWDA, Tex. Health & Safety Code Ann. §§ 361.003, 361.344.

3708. Pursuant to Section 361.344 of the TSWDA, Tex. Health & Safety Code Ann. § 361.344, the USOR Site PRP Group is entitled to recovery the reasonable and necessary costs of the response actions conducted by the USOR Site PRP Group at the USOR Site to date, as well as other costs the Court, in its discretion, considers reasonable against each Defendant the USOR Site PRP Group notified of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site.

WHEREFORE, the USOR Site PRP Group respectfully prays that this Court enter judgment in its favor and against all Defendants the USOR Site PRP Group notified of the existence of the release or threatened release of hazardous substances at the USOR Site, and that the USOR Site PRP Group intended to take steps to eliminate the release or threatened release of hazardous substances at the USOR Site, holding that all such Defendants are liable for the response costs incurred or to be incurred by the USOR Site PRP Group, as well as other costs that the Court, in its discretion, considers reasonable. The USOR Site PRP Group further requests that this Court award interest and costs of suit, including reasonable attorney's fees and consultant fees as permitted by law; and order any such other relief as the Court may deem just and appropriate under the circumstances.

#### **COUNT V – BREACH OF CONTRACT**

3709. The USOR Site PRP Group realleges and incorporates by reference Paragraph Nos. 1 through 3708 of this Complaint as if fully restated herein.

3710. The Participation Agreement entered into between the USOR Site PRP Group and Norson Services, USA Environmental and USAg Recycling is a valid contract under Texas State law.

3711. The USOR Site PRP Group performed all actions according to the terms of the Participation Agreement with respect to Norson Services, USA Environmental and USAg Recycling.

3712. Pursuant to the terms of the Participation Agreement, a former member of the USOR Site PRP Group who either withdraws or is removed from the USOR Site PRP Group are still liable for such former member's respective share of any and all costs and expenses, including legal, technical and administrative costs, authorized by the USOR Site PRP Group or

undertaken by the USOR Site PRP Group in accordance with the Participation Agreement to perform response cost activities at the USOR Site, up to the date of withdrawal and/or removal from the USOR Site PRP Group, whether or not such amounts have been invoiced to the former member at the point in time when such former member withdraws or is removed from the USOR Site PRP Group.

3713. Despite written demands to Norson Services, USA Environmental and USAg Recycling, each of them refuse to pay their respective required assessments of response costs incurred by the USOR Site PRP Group at the USOR Site.

3714. As such, Norson Services, USA Environmental and USAg Recycling have breached the Participation Agreement, which has caused the USOR Site PRP Group to sustain damages.

WHEREFORE, the USOR Site PRP Group respectfully prays that this Court enter judgment in its favor and against Defendants Norson Services LLC, USA Environmental, LP and USAg Recycling, Inc., holding that all such Defendants are liable for their respective unpaid assessments of response costs incurred by the USOR Site PRP Group at the USOR Site response costs incurred or to be incurred by the USOR Site PRP Group. The USOR Site PRP Group further requests that this Court award interest and costs of suit, including reasonable attorney's fees and consultant fees as permitted by law; and order any such other relief as the Court may deem just and appropriate under the circumstances.

Dated: February 1, 2016

Respectfully submitted,

THE JUSTIS LAW FIRM LLC

/s/ Gary D. Justis

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GROUP

**CERTIFICATE OF SERVICE**

I hereby certify that on February 1, 2016, a copy of the foregoing Second Amended Complaint was filed electronically. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access the filing through the Court's Electronic Case Filing System.

/s/ Gary D. Justis

Gary D. Justis